

Appendix A

**MINUTES OF THE COUNCIL
OF THE
CITY OF TORONTO**

WEDNESDAY, DECEMBER 16, 1998

City Council met at 9:37 a.m., in the Council Chamber, Metro Hall, Toronto.

Mayor Lastman took the Chair and called the Members to order.

The meeting opened with O Canada.

2012 Members present at the morning session of the first day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 57.

2013 Councillor Saundercook, seconded by Councillor Gardner, moved that:

“WHEREAS the York Community was greatly saddened to learn of the sudden passing on Monday, November 30, 1998, of Police Constable Garry Douglas Beesley (6198), a 23-year veteran of the Toronto Police Service; and

WHEREAS PC Beesley leaves behind his wife Sharon, and their two children Michael, 14 years, and Michelle, 10 years of age; and

WHEREAS PC Beesley, a was a valued member of 13 Division since 1980 and he will be greatly missed by the community; and

WHEREAS PC Beesley made a great contribution to his community and was recognized 35 times throughout his career for excellence in policing;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey on behalf of the Members of Council, an expression of sincere sympathy to the family of Police Constable Beesley; and that Council waive the provisions of the Council Procedural By-law in order to introduce this Motion.”

At this point in the proceedings, Councillor Saundercook introduced Staff Inspector Stewart, 14 Division, present at this meeting.

Councillor Davis, seconded by Councillor Saundercook, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Senator Peter Bosa on Thursday, December 10, 1998, after a year-long battle with cancer; and

WHEREAS Senator Bosa dedicated his life to a career in politics and championed the cause of multiculturalism; and

WHEREAS Senator Bosa was twice elected Alderman in the former Borough of York and headed the Canadian Consultative Council on Multiculturalism until 1977; and

WHEREAS Senator Bosa was known for his dedicated commitment to his community and will be long-remembered by his many constituents;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, an expression of sincere sympathy to the family of Senator Bosa; and that Council waive the provisions of the Council Procedural By-law in order to introduce this motion.”

Leave to introduce the foregoing Motions was granted and the Motions were carried unanimously.

Council rose and observed a moment of silence in memory of the late Police Constable Beesley and Senator Bosa.

The following communications were listed on the Order Paper for this meeting:

- 2014 (i) From the City Clerk (December 2, 1998) forwarding the recommendations of the Works and Utilities Committee with respect to Clause No. 1 of Report No. 14 of The Board of Health, headed “Phasing Out Pesticide Use in the City of Toronto”;

- (ii) from the City Clerk (December 14, 1998) forwarding the recommendations of the Economic Development Committee with respect to Clause No. 1 of Report No. 14 of The Board of Health, headed “Phasing Out Pesticide Use in the City of Toronto”; and
- (iii) from Mr. Rich Whate, Toronto Environmental Alliance (December 14, 1998) requesting that Council promote a pesticide-free environment and forwarding recommendations with respect thereto.

The foregoing communications were considered with Clause No. 1 of Report No. 14 of The Board of Health.

- 2015
- (i) From Ms. Alison Kemper, Executive Director, The 519 Church Street Community Centre (December 7, 1998) with respect to the draft policies regarding human rights, harassment and hate crimes;
 - (ii) from the Executive Director of Human Resources (December 9, 1998) reporting, as requested, with respect to the Human Rights, Harassment and Hate Activity Policy Framework; and
 - (iii) from the Committee Administrator, The Committee on the Status of Women (December 11, 1998) recommending adoption of the report dated November 25, 1998, from the Executive Director of Human Resources regarding the Human Rights, Harassment and Hate Activity Policy Framework.

The foregoing communications and report were considered with Clause No. 2 of Report No. 19 of The Corporate Services Committee.

- 2016
- (i) From the following in support of the construction of a bridge to the Island Airport:
 - (December 7, 1998) Mr. John Rendle, Toronto;
 - (December 10, 1998) Mr. Ross A. McLeod, President, Intelligarde;
 - and
 - (December 10, 1998) Ms. Lisa Gordon, Toronto.
 - (ii) from the following in opposition to the construction of a bridge to the Island Airport:
 - (December 3, 1998) Mr. Harve Sokoloff, Toronto;
 - (December 7, 1998) Ms. Jean Walker, Toronto;
 - (December 9, 1998) Mr. Bruce A. Brown, Toronto;
 - (December 4, 1998) Ms. Paula O'Connor, Toronto;
 - (December 10, 1998) Mr. Jack Taylor, Maple, Ontario;

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- (December 10, 1998) Mr. Colin Andrews, Plasma Environmental Technologies Inc.;
 - (December 11, 1998) Ms. Susan Costigane, President, Domicity Ltd.;
 - (December 14, 1998) Mr. Richard MacLean, Toronto;
 - Petition signed by 8 residents within the area of the Island Airport;
 - (December 13, 1998) Dr. Atilla Turgay, Clinical Director, Scarborough General Hospital;
 - (December 14, 1998) Mr. Murray Geddes, Geddes and Rubin Management Inc.;
 - (December 14, 1998) Mr. Dennis I. Bryant, Bryant Renovations and Fine Carpentry;
 - (December 13, 1998) Ms. Peggie Sampson, Toronto;
 - (December 14, 1998) Mr. Burton Kramer, Kramer Design Associates Ltd.;
 - (December 14, 1998) Mr. Peter Harper, Toronto; and
 - (December 14, 1998) Mr. John Harper and Ms. Gaby Harper, Toronto.

The foregoing communications were considered with Clause No. 3 of Report No. 14 of The Urban Environment and Development Committee.

- 2017
- (i) From Councillor Holyday (December 8, 1998) recommending that Option 4-1a be adopted with respect to the Ward boundary in Markland-Centennial;
 - (ii) from Councillors Brown and Sinclair (December 9, 1998) requesting that Council refer the issue with respect to the Ward 5 boundary option to the Etobicoke Community Council for further discussion;
 - (iii) from the City Clerk (December 11, 1998) forwarding the recommendations of the East York Community Council with respect to the options for Ward boundary changes;
 - (iv) from the City Clerk (December 10, 1998) forwarding communications from the following with respect to the options for Ward boundary changes:
 - (November 25, 1998) the President, Etobicoke Federation of Ratepayers' and Residents' Associations; and
 - (December 8, 1998) Ms. Joanna Twitchin, Co-President, Thistletown Ratepayers Association;
 - (v) from the City Solicitor (December 3, 1998) reporting, as requested, on the City's legal representation in the court application to determine whether City Council has the authority to change its size and composition; and

- (vi) from the City Clerk (December 14, 1998) submitting revised pages with respect to the options for Ward boundary changes.

The foregoing communications and report were considered with Clause No. 1 of Report No. 14 of The Urban Environment and Development Committee.

- 2018 (i) From Mr. David L. Dueck, President, Tri-Net Solutions Canada Limited (December 9, 1998) requesting that Council defer its decision with respect to Urban Planning and Development Services Integrated Business Management System (IBMS) - Request for Proposals P-09-98.RFP;
- (ii) from the Commissioner of Urban Planning and Development Services and the Chief Financial Officer and Treasurer (December 11, 1998) reporting, as requested, on:
 - (1) the innovative solution that they have taken with respect to the course upon which they have embarked, and providing a comparison of the selection process involving FIS (Financial Information Systems) and HRIS (Human Resource Information Systems); and
 - (2) the reasons why Tri-Net was rejected; and
- (iii) from Mr. Richard Lyall, General Manager, Metropolitan Toronto Apartment Builders Association (December 14, 1998) regarding the Urban Planning and Development Services, Integrated Business Management System (IBMS) and requesting that Council consider this matter further before making its decision.

The foregoing communications and joint report were considered with Clause No. 1 of Report No. 19 of The Corporate Services Committee.

- 2019 From the following pertaining to the arm's length funding proposal for the arts in the new City of Toronto:
 - (December 4, 1998) Mr. John Van Burek, The Pleiades Theatre; and
 - (December 8, 1998) from Ms. Alberta Nokes, Toronto.

The foregoing communications were considered with Clause No. 4 of Report No. 15 of The Special Committee to Review the Final Report of the Toronto Transition Team.

- 2020 From Mr. Bill Solomon, Toronto (December 14, 1998) with respect to the proposed official plan policies, conversion to condominium and demolition of rental housing as they relate to 310 and 320 Tweedsmuir Avenue.

The foregoing communication was considered with Clause No. 2 of Report No. 14 of The Urban Environment and Development Committee.

- 2021 From the Director of Community Planning, East District (December 11, 1998) reporting, as requested, with respect to the requirement for an additional noise study by the owner of the Furfari hot mix asphalt plant and advising that such study is no longer required.

The foregoing report was considered with Clause No. 10 of Report No. 12 of The Scarborough Community Council.

- 2022 From Mr. Rob Summers, Treasurer, Richmond Gardens Ratepayers' and Residents' Association (December 9, 1998) with respect to an application for an amendment to the Etobicoke Zoning Code regarding 1558 Kipling Avenue.

The foregoing communication was considered with Clause No. 8 of Report No. 14 of The Etobicoke Community Council.

- 2023 From the City Solicitor (December 10, 1998) reporting, as requested, on the impact of Section 37 of the Planning Act and the issue of incremental bonusing related to 5039 Finch Avenue and 2627 McCowan Road (Ward 18).

The foregoing report was considered with Clause No. 21 of Report No. 12 of The Scarborough Community Council.

- 2024 From the Director of Community Planning, East District (December 11, 1998) reporting, as requested, on the details of the recent Ontario Municipal Board decision regarding the former Ontario Hydro corridor lands north of Highway 401.

The foregoing report was considered with Clause No. 13 of Report No. 12 of The Scarborough Community Council.

- 2025 From Ms. Janet Mason, Assistant Deputy Minister, Ministry of Municipal Affairs and Housing (December 11, 1998) advising that the requirement for municipalities to issue rent reduction notices by the December 15, 1998 deadline prescribed by regulation under the Tenant Protection Act may be impacted by the proposed Fairness For Property Taxpayers Act, 1998, (Bill 79).

The foregoing communication was considered with Clause No. 1 of Report No. 25 of The Strategic Policies and Priorities Committee.

- 2026 From the City Clerk (October 26, 1998) forwarding the recommendations of the Municipal Grants Review Committee regarding revisions to the Council-Committee structure in respect of grants and the legislative process.

The foregoing communication was considered with Clause No. 1 of Report No. 15 of The Special Committee to Review the Final Report of the Toronto Transition Team.

- 2027 From Ms. Mary Wilton, Executive Director, Ontario Water Polo Association (December 11, 1998) with respect to an application for relocation of the Delta Mayfair Bingo Hall from 525 Wilson Avenue (Ward 8) to 1860 Wilson Avenue (Ward 6).

The foregoing communication was considered with Clause No. 1 of Report No. 14 of The Emergency and Protective Services Committee.

- 2028 (i) From the Director, Community Planning, North District (December 15, 1998) submitting a consolidated list of recommendations arising from the North York Community Council's consideration of the Official Plan and Zoning Amendment Applications pertaining to Destination: Technodome;
- (ii) from the Director of Transportation Services, District 3 (December 11, 1998) providing additional information on the parking supply at Destination: Technodome, as result of motions adopted by the North York Community Council; and
- (iii) from Ms. Susan R. Macarz, Associate Broker, Re/Max Ultimate Realty Inc., Realtor (December 9, 1998) in support of the construction of Destination: Technodome.

The foregoing reports and communication were considered with Clause No. 24 of Report No. 15 of The North York Community Council.

- 2029 From the Acting Managing Director, Toronto Historical Board (December 14, 1998) submitting a replacement Draper Street Heritage Conservation District Study.

The foregoing report was considered with Clause No. 18 of Report No. 16 of The Toronto Community Council.

- 2030 From the Commissioner of Community and Neighbourhood Services and the Commissioner of Urban Planning and Development Services (December 11, 1998) reporting, as requested, on two City-owned surplus properties and the possibility of utilizing such properties for affordable housing and demonstration projects.

The foregoing joint report was considered with Clause No. 10 of Report No. 19 of The Corporate Services Committee.

- 2031 At this point in the proceedings, Councillor Chow filed with the City Clerk, a petition containing approximately 9,000 signatures of residents of the City of Toronto in opposition

to the construction of a fixed link to the Toronto Island Airport and the introduction of jet traffic to the Airport.

- 2032 Council had before it the following Enquiry dated November 20, 1998, from Councillor Blake F. Kinahan, Lakeshore-Queensway, addressed to the City Clerk:

“Please accept this as an official enquiry for Council Agenda purposes.

Could you please advise as to what changes to Councillors’ offices have been made since the plans were presented to Council at the time of the office lottery. Could you please include a sketch of the plan as presented and the current layout of the space. I understand that file rooms may have disappeared, an office along Bay Street may have disappeared, a meeting room may have disappeared, etc., all to expand some Councillors’ offices from what they were getting as a result of the lottery.

Thanks.”

Council also had before it the following Answer dated December 14, 1998, from the Commissioner of Corporate Services, addressed to the City Clerk:

“This refers to your memo dated November 23, 1998, with respect to the enquiry from Councillor Kinahan, requesting information on renovations to the Members’ offices at Toronto City Hall in accordance with Section 55 of the Council Procedural By-law.

Facilities and Real Estate, working through the Relocation Sub-Committee, is currently compiling a listing of changes to Councillors’ offices and associated common space. As per your request, the listing will be provided as soon as available following completion of the Councillors’ facilities, along with a sketch of the plan as presented and the current layout of the space.”

At this point in the proceedings, Councillor Walker requested that consideration of the foregoing Enquiry and Answer be deferred until later in the meeting.

Council concurred in the foregoing request. (See Minute No. 2157.)

2033 Councillor Flint presented the following Reports for consideration by Council:

Report No. 18 of The Corporate Services Committee,
Report No. 25 of The Strategic Policies and Priorities Committee,
Report No. 15 of The Toronto Community Council,
Report No. 14 of The Board of Health,
Report No. 12 of The Community and Neighbourhood Services Committee,
Report No. 19 of The Corporate Services Committee,
Report No. 7 of The Economic Development Committee,
Report No. 14 of The Emergency and Protective Services Committee,
Report No. 14 of The Urban Environment and Development Committee,
Report No. 11 of The Works and Utilities Committee,
Report No. 19 of The East York Community Council,
Report No. 13 of The Etobicoke Community Council,
Report No. 14 of The Etobicoke Community Council,
Report No. 15 of The North York Community Council,
Report No. 12 of The Scarborough Community Council,
Report No. 16 of The Toronto Community Council,
Report No. 15 of The York Community Council,
Report No. 2 of The Audit Committee,
Report No. 15 of The Board of Health, and
Report No. 15 of The Special Committee to Review the Final Report of the Toronto Transition Team,

and moved, seconded by Councillor King, that Council now give consideration to such Reports, which was carried.

At this point in the proceedings, Councillor Flint, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 27 of The Strategic Policies and Priorities Committee,

and moved, seconded by Councillor King, that the provisions of Section 44 of the Council Procedural By-law be waived in connection with the foregoing Report and that Council now give consideration to such Report, which was carried, more than two-thirds of Members present having voted in the affirmative.

2034 Mayor Lastman requested Members of Council to indicate the Report and Clause Number wherein they have an interest, together with the nature of the interest.

Councillor Altobello declared his interest in Clause No. 15 of Report No. 12 of The Scarborough Community Council, headed "Official Plan Amendment Application P97024, Zoning By-law Amendment Application Z97062, Paul Viaros, 381-383 Birchmount Road, Birchmount Park Employment District, Ward 13 - Scarborough Bluffs", in that his family owns property on Raleigh Avenue.

Councillor Fotinos declared his interest in Clause No. 1 of Report No. 12 of The Community and Neighbourhood Services Committee, headed "Payment of Former City of Toronto Daycare Grants", in that his mother provides private home child care.

Councillor Korwin-Kuczynski declared his interest in Item (j), entitled "OMB Decision - Park Lawn Cemetery, 2810 Bloor Street West, Ward 2, Lakeshore-Queensway", embodied in Clause No. 10 of Report No. 14 of The Etobicoke Community Council, headed "Other Items Considered by the Community Council", in that he is the owner of a plot located in the Park Lawn Cemetery.

Councillor Pantalone declared his interest in Clause No. 1 of Report No. 12 of The Community and Neighbourhood Services Committee, headed "Payment of Former City of Toronto Daycare Grants", in that his children are registered in a child care centre which has a purchase of service agreement with the City of Toronto.

Councillor Prue declared a potential interest in that portion of the Capital Works Program pertaining to Waterfront and Valley Erosion Control, contained in Item (a), entitled "City of Toronto 1999-2003, Capital Works Program", embodied in Clause No. 11 of Report No. 19 of The East York Community Council, headed "Other Items Considered by the Community Council", in that his principal residence is situated in the subject area.

Mayor Lastman proposed that Council now proceed through the Reports, with Members of Council indicating those Clauses, by number, on which they wish to speak; that Council then proceed with the adoption of the remaining Clauses; and that Council then give further consideration to those Clauses which have been held at the request of Members of Council, not necessarily in the order they appear on the Agenda.

Council concurred in the foregoing proposal.

Upon the question of the adoption of Report No. 18 of The Corporate Services Committee, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 25 of The Strategic Policies and Priorities Committee, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 15 of The Toronto Community Council, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 14 of The Board of Health, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 12 of The Community and Neighbourhood Services Committee (with the exception of Clauses Nos. 2, 3, 4 and 8), without amendment, it was carried.

Upon the question of the adoption of Report No. 19 of The Corporate Services Committee (with the exception of Clauses Nos. 1, 2, 8, 9, 10, 16, 17 and 22), without amendment, it was carried.

Upon the question of the adoption of Report No. 7 of The Economic Development Committee (with the exception of Clauses Nos. 4 and 5), without amendment, it was carried.

Upon the question of the adoption of Report No. 14 of The Emergency and Protective Services Committee (with the exception of Clauses Nos. 1 and 2), without amendment, it was carried.

Upon the question of the adoption of Report No. 14 of The Urban Environment and Development Committee (with the exception of Clauses Nos. 1, 2, 3, 5 and 6), without amendment, it was carried.

Upon the question of the adoption of Report No. 11 of The Works and Utilities Committee, without amendment, it was carried.

Upon the question of the adoption of Report No. 27 of The Strategic Policies and Priorities Committee, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 19 of The East York Community Council, without amendment, it was carried.

Upon the question of the receipt for information of Report No. 13 of The Etobicoke Community Council, consisting of one Clause only, without amendment, it was carried.

Upon the question of the adoption of Report No. 14 of The Etobicoke Community Council (with the exception of Clauses Nos. 7 and 10), without amendment, it was carried. (See Minute No. 2157.)

Upon the question of the adoption of Report No. 15 of The North York Community Council (with the exception of Clauses Nos. 14, 15 and 24), without amendment, it was carried. (See Minute No. 2060.)

Upon the question of the adoption of Report No. 12 of The Scarborough Community Council (with the exception of Clauses Nos. 5, 12, 13 and 21), without amendment, it was carried.

Upon the question of the adoption of Report No. 16 of The Toronto Community Council, without amendment, it was held in its entirety. (See Minute No. 2064.)

Upon the question of the adoption of Report No. 15 of The York Community Council (with the exception of Clause No. 1), without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The Audit Committee (with the exception of Clause No. 1), without amendment, it was carried.

Upon the question of the adoption of Report No. 15 of The Board of Health, consisting of one Clause only, without amendment, it was carried.

Upon the question of the adoption of Report No. 15 of The Special Committee to Review the Final Report of the Toronto Transition Team (with the exception of Clauses Nos. 1, 2, 3, 4, 5, 6 and 7), without amendment, it was carried. (See Minute No. 2157.)

2035 At this point in the proceedings, and with the permission of Council, Councillor Ootes moved that Council now give consideration to the following Notice of Motion J(5), which was carried:

Moved by: Mayor Lastman

Seconded by: Councillor Ootes

“WHEREAS at its meeting of January 6, 1998, Council adopted By-law No. 13-1998, being a by-law to authorize agreements respecting the issue and sale of debentures; and

WHEREAS, pursuant to By-law No. 13-1998, the Mayor and Commissioner of Finance and Treasurer are authorized to enter into an agreement or agreements with a purchaser or purchasers during the year for the sale and issue of debentures upon such terms and conditions, including price or prices as they deem expedient, to provide an amount not exceeding \$400,000,000.00 for the purposes of the City of Toronto, including the purposes of any former area municipality, the former Municipality of Metropolitan Toronto and a Board of Education; and

WHEREAS the Mayor and Commissioner of Finance and Treasurer have entered into an agreement for the issue and sale of debentures and the Commissioner of Finance and Treasurer is required to report the terms of the agreement to Council no later than the second regular Council meeting following the entering into of such agreement; and

WHEREAS the City of Toronto Act, 1997 (No. 2), subsection 102(6), requires Council to pass all necessary money by-laws in accordance with the said agreement and applicable legislation;

NOW THEREFORE BE IT RESOLVED THAT Council consider the report dated December 11, 1998, from the Chief Financial Officer and Treasurer, regarding the issuance of debentures; that such report be adopted; and that leave be granted for the introduction of the necessary Bills in Council to give effect to the issuance of debentures.”

Council also had before it, during consideration of the foregoing Motion, a report (December 11, 1998) from the Chief Financial Officer and Treasurer requesting that the necessary Bills be introduced in Council to give effect to the issuance of debentures. (See Attachment No. 1.)

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried and, in so doing, Council adopted the report dated December 11, 1998, from the Chief Financial Officer and Treasurer, embodying the following recommendations:

“It is recommended that:

- (1) authority be granted for the introduction of the necessary Bills in Council on December 16, 1998, to give effect to the issuance of debentures; and
- (2) the appropriate officials be authorized to take the necessary actions to give effect thereto.”

2036 At this point in the proceedings, and with the permission of Council, Councillor Duguid, seconded by Councillor Ootes, moved that leave be granted to introduce:

Bill No. 916 To authorize the issue of Sinking Fund Debentures to the amount of \$125,000,000.00 for the purposes of the City of Toronto.

Bill No. 917 To authorize the issue of Sinking Fund Debentures to the amount of \$125,000,000.00 for the purposes of the City of Toronto,

which was carried.

Upon the question, “Shall these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws?”, as follows:

By-law No. 887-1998 To authorize the issue of Sinking Fund Debentures to the amount of \$125,000,000.00 for the purposes of the City of Toronto.

By-law No. 888-1998 To authorize the issue of Sinking Fund Debentures to the amount of \$125,000,000.00 for the purposes of the City of Toronto,

it was carried.

- 2037 Councillor Duguid, seconded by Councillor Ootes, at 9:53 a.m., moved that leave be granted to introduce:

Bill No. 937 To confirm the proceedings of the Council at its meeting held on the 16th day of December, 1998,

which was carried.

Upon the question, "Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?", as follows:

By-law No. 889-1998 To confirm the proceedings of the Council at its meeting held on the 16th day of December, 1998,

it was carried, without dissent.

- 2038 **Clause No. 1 of Report No. 27 of The Strategic Policies and Priorities Committee, headed "Future of the Hummingbird Centre - Enactment of the Proposed Hummingbird Legislation".**

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 2039 At this point in the proceedings, and with the permission of Council, Councillor Ootes moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(4), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Mayor Lastman

Seconded by: Councillor Ootes

"WHEREAS City Council at its meeting held on January 2, 6, 8 and 9, 1998, approved the recommendations in the final report of the Toronto Transition Team on an interim basis only, subject to certain amendments; and

WHEREAS the final report of the Toronto Transition Team contained a recommendation that City representation on the proposed Greater Toronto Services Board (GTSB) should include: the Mayor; the Chairs of the Standing Committees; the Budget Chief; the Chair of the Toronto Transit Commission; a Councillor who is a member of the Toronto and Region Conservation Authority (appointed by Council); and the remaining Councillors (who are not Chairs of Community Councils) should be appointed by Council; and

WHEREAS City Council at its meeting held on January 2, 6, 8 and 9, 1998, by its adoption, as amended, of Clause No. 1 of Report No. 1 of The Striking Committee, headed 'Appointment of Members of Council to Standing Committees, Other Committees and Task Forces, Special Purpose Bodies and Special Positions', appointed the following 14 Members of Council to the Greater Toronto Services Board (when established):

- the Mayor (Mayor Mel Lastman);
- the Budget Chair (Councillor Tom Jakobek);
- Chair of Urban Environment and Development Committee (Councillor Joe Pantalone);
- Chair of Works and Utilities Committee (Councillor Betty Disero);
- Chair of Community and Neighbourhood Services Committee (Councillor Chris Korwin-Kuczynski);
- Chair of Emergency and Protective Services Committee (Councillor Dennis Fotinos);
- Chair of Corporate Services Committee (Councillor Dick O'Brien);
- Chair of Toronto Transit Commission (Councillor Howard Moscoe);
- one Councillor who is a Member of the Toronto Region and Conservation Authority, viz.: Councillor Mike Tzekas; and
- the remaining five Councillors (who are not chairs of Community Councils), as follows:
 - Councillor Joanne Flint;
 - Councillor Norm Kelly;
 - Councillor Sherene Shaw;
 - Councillor David Shiner; and
 - Councillor Mario Silva; and

WHEREAS the number of Standing Committees has subsequently increased, and the Standing Committee structure may be further revised; and

WHEREAS Bill 56, 'An Act to establish the Greater Toronto Services Board and the Greater Toronto Transit Authority and to amend the Toronto Area Transit Operating Authority Act', has received 2nd Reading in the Legislative Assembly of Ontario; and

WHEREAS subsection 4 (b) of Bill 56 states that the Greater Toronto Services Board shall, in part, be composed of the Mayor of the City of Toronto and 10 Members of the Council of the City of Toronto appointed by by-law of that Council; and

WHEREAS the number of Members of Council previously appointed by City Council exceeds the number permitted under Bill 56, and the terms of office for the Members named as Chairs of the Standing Committees expires May 31, 1999; and

WHEREAS, in accordance with subsection 7 (10) of Bill 56, members shall be appointed to the GTSB for a term ending November 30, 1999, or November 30, 2000, as the appointing Council shall determine; and

WHEREAS subsection 9 (1) of Bill 56 states that the Council of a member municipality may appoint alternates for the members of the Board who are appointed by the Council or who are members of the Board by virtue of being the Chair of the Council or the Mayor of the municipality; and

WHEREAS, in accordance with subsections 9 (3) and 9 (4) of Bill 56, if a Council has appointed more than one alternate, the Council shall determine which alternate shall substitute for a member of the Board, and an alternate who substitutes for a member of the Board has all the powers and shall perform all the duties of the said member; and

WHEREAS subsection 15 (2) of Bill 56 states that the members of the Board representing the City of Toronto shall have four additional votes with respect to matters set out in Part II, entitled 'Greater Toronto Transit Authority', distributed among the members as determined by the Council of the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 1 of The Striking Committee, headed 'Appointment of Members of Council to Standing Committees, Other Committees and Task Forces, Special Purpose Bodies and Special Positions', be re-opened for further consideration insofar as it pertains to appointments to the Greater Toronto Services Board;

AND BE IT FURTHER RESOLVED THAT, in anticipation of a January 1, 1999 start date for the Greater Toronto Services Board, City Council refer the matter of appointments to such Board to the Striking Committee, with a request that the Striking Committee hold a Special meeting, prior to the end of this meeting of City Council, and submit its recommendations directly to this meeting of Council with respect to:

- (a) the names of the 10 Members of Council to be appointed, as per the said subsection 4 (b);

- (b) whether the term should end on November 30, 1999, or November 30, 2000, as per the said subsection 7 (10);
- (c) whether to appoint alternates for the City appointees to the Board and for the Mayor, as per the said subsection 9 (1);
- (d) if the Committee wishes to recommend that more than one alternate be appointed, the names of which alternates are to substitute for which specific members, as per the said subsection 9 (3); and
- (e) which member or members will be allocated the additional 4 votes which the City is granted with respect to Greater Toronto Transit Authority matters, as per the said subsection 15 (2);

AND BE IT FURTHER RESOLVED THAT the aforementioned names of the Members of Council previously appointed by City Council to the GTSB be referred to the Striking Committee for its consideration;

AND BE IT FURTHER RESOLVED THAT, in addition to such names being referred to the Striking Committee, Members of Council be requested to immediately notify the City Clerk if they are also interested in being considered for appointment to the Greater Toronto Services Board;

AND BE IT FURTHER RESOLVED THAT, due to time constraints, the provisions of Section 111 of the Council Procedure By-law, which require that Special meetings of a Committee may be called on 24-hours' notice, be waived;

AND BE IT FURTHER RESOLVED THAT City Council give consideration to this motion in sufficient time to permit the Striking Committee to hold a Special meeting and submit its recommendations for appointments to the Greater Toronto Services Board for consideration at this meeting of City Council."

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

2040 **Clause No. 1 of Report No. 18 of The Corporate Services Committee, headed "Actuarial Valuation Results - The City of York Employee Pension Plan".**

Council also had before it, during consideration of the foregoing Clause, a report (November 24, 1998) from the Chief Financial Officer and Treasurer reporting, as requested, on the most appropriate use of the savings outlined in the joint confidential report (October 26, 1998) from the Chief Financial Officer and Treasurer and the Executive Director of Human Resources, taking into consideration the report (October 27, 1998) from the Chief Financial Officer and Treasurer.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Sinclair, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the confidential report dated November 24, 1998, from the Chief Financial Officer and Treasurer, headed ‘OMERS Type 3 Supplementary Agreement and the York Fire Association’, embodying the following recommendation, be adopted:

‘It is recommended that the \$1.5 million savings as a result of the OMERS Type 3 Agreement be deposited into the Employee Benefit Reserve.’; and

- (2) the Chief Financial Officer and Treasurer be requested to submit a full report to the Corporate Services Committee on how the City of York Employee Pension Plan came to be in its current negative financial situation.”

Upon the question of the adoption of the foregoing motion by Councillor Sinclair, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

- 2041 **Clause No. 8 of Report No. 19 of The Corporate Services Committee, headed “Proposed Lease for Children’s Safety Village Within McCowan Road Park Site, West Side McCowan Road, South of CNR (Ward 13 - Scarborough Bluffs)”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Duguid, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be authorized to approve the content of the Lease Agreement, and the City Solicitor be authorized to approve the form of the Agreement.”

Upon the question of the adoption of the foregoing motion by Councillor Duguid, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

- 2042 **Clause No. 9 of Report No. 19 of The Corporate Services Committee, headed “Property Declaration: Yonge Dundas Redevelopment Project”.**

Upon the question of the adoption of the foregoing Clause, without amendment, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Davis, Duguid, Faubert, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Tzekas, Walker - 48.

Nays: Councillors: Mammoliti, Shiner - 2.

Decided in the affirmative by a majority of 46.

- 2043 **Clause No. 22 of Report No. 19 of The Corporate Services Committee, headed "Public Closing of Portions of Gould Street and Victoria Street, and the Public Lane O'Keefe Lane - Yonge Dundas Redevelopment Project (Downtown)".**

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

Councillor Shiner requested that his opposition to the foregoing Clause be noted in the Minutes of this meeting.

- 2044 **Clause No. 5 of Report No. 14 of The Urban Environment and Development Committee, headed "Proposed Amendments to By-law No. 60-1998 - 'The Carbon Monoxide Detector By-law' (All Wards)".**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Duguid, in amendment, moved that the foregoing Clause be struck out and referred back to the Urban Environment and Development Committee for further consideration.

Upon the question of the adoption of the foregoing motion by Councillor Duguid, it was carried.

2045 **Clause No. 14 of Report No. 15 of The North York Community Council, headed “Parking/Stopping Prohibitions - Duckworth Street and Thurodale Avenue - North York Humber”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Mammoliti, in amendment, moved that the foregoing Clause be amended by striking out Recommendation No. (2) embodied in the report dated October 21, 1998, from the Director, Transportation Services, District 3, and inserting in lieu thereof the following new Recommendation No. (2):

“(2) that parking be prohibited at anytime, Monday to Friday, on the north side of Thurodale Avenue, between Martini Drive to Renfield Street and on the south side between Tedder Street to Renfield Street;”.

Upon the question of the adoption of the foregoing motion by Councillor Mammoliti, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2046 **Clause No. 15 of Report No. 15 of The North York Community Council, headed “All Way Stop Control - Flindon Road at Acacia Avenue/Flaxman Road - North York Humber”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Mammoliti, in amendment, moved that the foregoing Clause be amended by deleting from the recommendation embodied in the report dated October 19, 1998, from the Director, Transportation Services, District 3, the numeral “XIV” and inserting in lieu thereof the numeral “XIX”, so that such recommendation shall now read as follows:

“Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on all approaches to the Flindon Road/Acacia Avenue/Flaxman Road intersection.”

Upon the question of the adoption of the foregoing motion by Councillor Mammoliti, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

- 2047 **Clause No. 5 of Report No. 12 of The Scarborough Community Council, headed “Twelve Hour Parking Limit on Red River Crescent - Ward 18 - Scarborough Malvern”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Cho, in amendment, moved that the foregoing Clause be struck out and referred back to the Scarborough Community Council for further consideration.

Upon the question of the adoption of the foregoing motion by Councillor Cho, it was carried.

- 2048 **Clause No. 49 of Report No. 16 of The Toronto Community Council, headed “Naming of Private Lane - Joseph Salsberg Lane (Trinity-Niagara)”.**

Upon the question of the adoption of the foregoing Clause, without amendment, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Tzekas, Walker - 52.

Nay: Councillor: Ashton - 1.

Decided in the affirmative by a majority of 51.

At this point in the proceedings, and with the permission of Council, Councillor Pantalone introduced the daughter of Mr. Joseph Salsberg, present at this meeting.

- 2049 At this point in the proceedings, Councillor Adams, with the permission of Council, moved that Council vary the order of its proceedings to consider Clause No. 3 of Report No. 15 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Governance Structure for Heritage Services”, at 8:00 p.m. on December 17, 1998.

Councillor Miller, in amendment, moved that the foregoing motion by Councillor Adams be amended to provide that Clause No. 3 of Report No. 15 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Governance Structure for Heritage Services”, be considered at 4:00 p.m. on December 17, 1998.

Upon the question of the adoption of the foregoing motion by Councillor Miller, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Bussin, Chow, Disero, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Pitfield, Prue, Silva, Sinclair - 40.

Nays: Councillors: Adams, Augimeri, Berger, Duguid, Layton, Ootes, Rae, Saundercook, Shaw, Shiner, Walker - 11.

Decided in the affirmative by a majority of 29.

2050 **Clause No. 1 of Report No. 15 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Revisions to the Council-Committee Structure".**

Council also had before it, during consideration of the foregoing Clause, a communication (October 26, 1998) from the City Clerk forwarding the recommendations of the Municipal Grants Review Committee regarding revisions to the Council-Committee structure in respect of grants and the legislative process.

Council also had before it, during consideration of the foregoing Clause, a joint communication (December 14, 1998) from the Mayor and the Chair, Special Committee to Review the Final Report of the Toronto Transition Team recommending that consideration of this matter be deferred to the meeting of Council to be held on February 2, 1999.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Moscoe, in amendment, moved that:

- (1) consideration of the foregoing Clause be deferred to the next regular meeting of City Council to be held on February 2, 3 and 4, 1999; and
- (2) the following motions be referred to the Office of the Mayor and to the Chair of the Special Committee to Review the Final Report of the Toronto Transition Team, for consideration in the preparation of their report in this regard:

Moved by Councillor McConnell:

"That the report dated November 26, 1998, from the Chief Administrative Officer be amended by:

- (1) adding to Recommendation No. (1) the words:

'subject to adding thereto the following additional principle:

- (11) The Council-Committee structure should be flexible and responsive enough to respond to changing needs in the communities.’; and
- (2) deleting from Recommendation No. (2) the words ‘Policy and Finance Committee’, and inserting in lieu thereof the words ‘Financial Policy Committee’, in order to better identify the Committee’s role and the primacy of the other Standing Committees in their respective policy areas.”

Moved by Councillor Moscoe:

“That:

- (1) the report dated November 26, 1998, from the Chief Administrative Officer, be amended by adding to Recommendation No. (10) the words ‘but the Mayor shall continue to be permitted to name a designate if he so requires’, so that such recommendation shall now read as follows:
 - ‘(10) with the exception of the Mayor, who is an ex-officio member of all Committees of Council, no Member of Council should be a Member of more than one of the six policy/issue-based standing committees (not including the Appointments and Audit Committees) shown in Figure 6 in the section of this report entitled “Standing Committee Portfolios”, but the Mayor continue to be permitted to name a designate if he so requires;’;
- (2) the name of the Urban Environment and Development Committee be changed to the Urban Planning Committee, or the Planning Committee; and
- (3) the Chief Administrative Officer be requested to develop strict guidelines for the writing of staff reports which include:
 - (a) clarity of language and the omission of jargon;
 - (b) some reasonable limits on the length of reports;
 - (c) a format that makes recommendations easy to understand; and
 - (d) the incorporation of a brief Executive Summary in bold print at a fixed location within each report.”

Upon the question of the adoption of the foregoing motion by Councillor Moscoe, it was carried.

- 2051 At this point in the proceedings, Mayor Lastman, with the permission of Council, invited Ms. Susan Filshie and Mr. Robert Stephens, Planners, Urban Planning and Development Services, former Scarborough Councillor David Soknacki and Councillor Brad Duguid to the podium; advised Council that Ms. Filshie and Mr. Stephens had received an Outstanding Planning Award from the Ontario Professional Planners Institute; presented a plaque to Ms. Filshie and Mr. Stephens to mark the occasion; and extended, on behalf of Council, the congratulations of Council in this regard.
- 2052 Mayor Lastman invited Councillor Pantalone and Mr. John Sellers, General Manager, National Trade Centre, to the podium; advised the Council that the National Trade Centre had won the President's Award of Excellence from the Exhibit and Display Association of Canada; presented a plaque to Mr. Sellers to mark the occasion; and extended, on behalf of Council, the congratulations of Council in this regard.
- 2053 At this point in the proceedings, and with the permission of Council, Mayor Lastman proposed that Council vary the order of its proceedings to consider Clause No. 3 of Report No. 14 of The Urban Environment and Development Committee, headed "Access to the City Centre Airport (Ward: Downtown)", immediately following consideration of Clause No. 24 of Report No. 15 of The North York Community Council, headed "Official Plan and Zoning Amendment Application UDOZ-97-28 - Destination Technodome - Heathmount A.E. Corp. - West of W.R. Allen Road, South of Sheppard Avenue West - North York Spadina", the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Ashton, Balkissoon, Davis, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Johnston, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Moeser, Saundercook, Shaw, Silva - 23.

Nays: Councillors: Adams, Augimeri, Bossons, Chow, Jones, Kinahan, Layton, Miller, Moscoe, Pantalone, Prue, Rae, Walker - 13.

Decided in the affirmative by a majority of 10.

- 2054 At this point in the proceedings, Councillor Miller, with the permission of Council, introduced the delegation from Cape Town, South Africa, present at this meeting.

Mayor Lastman, with the permission of Council, introduced the Grade 7 students of Parkland Public School, Markham, present at this meeting.

- 2055 **Clause No. 24 of Report No. 15 of The North York Community Council, headed "Official Plan and Zoning Amendment Application UDOZ-97-28 - Destination**

Technodome - Heathmount A.E. Corp. - West of W.R. Allen Road, South of Sheppard Avenue West - North York Spadina”.

Council also had before it, during consideration of the foregoing Clause, the following reports and communication:

- (i) (December 15, 1998) from the Director, Community Planning, North District submitting a consolidated list of recommendations arising from the North York Community Council’s consideration of the Official Plan and Zoning Amendment Applications pertaining to Destination: Technodome;
- (ii) (December 11, 1998) from the Director of Transportation Services, District 3 providing additional information on the parking supply at Destination: Technodome, as result of motions adopted by the North York Community Council; and
- (iii) (December 9, 1998) from Ms. Susan R. Macarz, Associate Broker, Re/Max Ultimate Realty Inc., Realtor in support of the construction of Destination: Technodome.

Council also had before it, during consideration of the foregoing Clause, the following communications:

- (i) (December 15, 1998) from Ms. Mary L. Flynn-Guglietti, Goodman and Carr Barristers and Solicitors, on behalf of the Greater Toronto Hockey League, in support of the construction of Destination: Technodome, and attaching various communications in this regard;
- (ii) (December 7, 1988) from Mr. Jim Purnell, Toronto, in opposition to the construction of the Destination: Technodome;
- (iii) (December 14, 1998) from the We the People, Residents and Businesses of Downsview, in opposition to the construction of the Destination: Technodome; and
- (iv) (undated) from Councillor Michael Walker, North Toronto, requesting further information in regard to the construction of the Destination: Technodome.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Mayor Lastman moved that the foregoing Clause be adopted, and further that the issue of the three arenas be referred to the Mayor, with a request that he meet with representatives of the Greater Toronto Hockey League to discuss any potential locations in the City of Toronto.
- (b) Councillor Sinclair, in amendment, moved that the foregoing Clause be amended by striking out Conditions Nos. (1) and (2) embodied in the recommendation of the North York Community Council, viz:

- “(1) that the 2,500 seat arena, and the two 600 seat arenas be deleted; and
- (2) that there be a 10 percent reduction in the Gross Floor Area;”.
- (c) Councillor Giansante, in amendment, moved that the foregoing Clause be amended:
- (1) by referring Condition No. (1) embodied in the recommendation of the North York Community Council to the Office of the Mayor for consideration; and
- (2) to provide that:
- (a) a report be submitted by the Director, Community Planning, North York District, regarding Section 37 Agreement and Site Plan Control approval, prior to the introduction of the Bills; and
- (b) the Office of the Mayor be involved in the negotiations with the applicant and with the Greater Toronto Hockey League.

At this point in the proceedings, Councillor Feldman moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 12:30 p.m. recess, in order to conclude consideration of the foregoing Clause, the vote upon which was taken as follows:

- Yeas: Mayor: Lastman.
Councillors: Ashton, Augimeri, Balkissoon, Berardinetti, Chong, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Jakobek, Johnston, Kelly, King, Lindsay Luby, Li Preti, McConnell, Moscoe, Nunziata, Ootes, Pantalone, Rae, Silva, Sinclair - 27.
- Nays: Councillors: Altobello, Berger, Bossons, Cho, Davis, Faubert, Giansante, Jones, Korwin-Kuczynski, Mahood, Mammoliti, Mihevc, O'Brien, Walker - 14.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

- (d) Councillor Layton, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that the Toronto Transit Commission arrangements be endorsed and referred to the Environmental Task Force for consideration as a precedent for new development in the City.”

At this point in the proceedings, Councillor Mahood moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the

12:30 p.m. recess, and that Council continue in session until 12:45 p.m., the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Moscoe, Nunziata, O'Brien, Prue, Saundercook, Sgro, Shiner, Sinclair, Tzekas - 43.

Nays: Councillors: Davis, Walker - 2.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

(e) Councillor Davis, in amendment, moved that Condition No. (2) embodied in the recommendation of the North York Community Council also be referred to the Office of the Mayor for consideration.

Upon the question of the adoption of Part (1) of the foregoing motion (c) by Councillor Giansante, the vote was taken as follows:

Yeas: Councillors: Ashton, Balkissoon, Davis, Duguid, Flint, Giansante, Holyday, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, O'Brien, Saundercook, Sgro, Shiner, Sinclair - 16.

Nays: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Faubert, Feldman, Fillion, Fotinos, Gardner, Jakobek, Johnston, Jones, Kelly, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Tzekas, Walker - 39.

Decided in the negative by a majority of 23.

Upon the question of the adoption of Part (2)(a) of the foregoing motion (c) by Councillor Giansante, the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Chong, Chow, Davis, Giansante, Holyday, Jones, Kinahan, Lindsay Luby, Mahood, McConnell, O'Brien, Sinclair, Walker - 17.

Nays: Mayor: Lastman.

Councillors: Adams, Augimeri, Berger, Bossons, Bussin, Cho, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Jakobek, Johnston, Kelly, King, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas - 38.

Decided in the negative by a majority of 21.

At this point in the proceedings, Mayor Lastman, having regard to the nature of Part (2)(b) of the foregoing motion (c) by Councillor Giansante, declared such Part redundant.

At this point in the proceedings, Councillor Korwin-Kuczynski moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 12:45 p.m. recess, in order to conclude consideration of the foregoing Clause, which was carried, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the foregoing motion (b) by Councillor Sinclair, insofar as it pertains to striking out Condition No. (1) embodied in the recommendation of the North York Community Council, the vote was taken as follows:

Yeas: Councillors: Ashton, Balkissoon, Bossons, Davis, Duguid, Flint, Giansante, Kelly, Kinahan, King, Mammoliti, O'Brien, Saundercook, Shiner, Sinclair, Tzekas - 16.

Nays: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Disero, Faubert, Feldman, Filion, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shaw, Silva, Walker - 39.

Decided in the negative by a majority of 23.

Upon the question of the adoption of the foregoing motion (e) by Councillor Davis, the vote was taken as follows:

Yeas: Councillors: Chow, Davis, Duguid, Flint, Holyday, Kelly, Sinclair, Tzekas - 8.

Nays: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Disero, Faubert, Feldman, Filion, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata,

O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Walker - 47.

Decided in the negative by a majority of 39.

Upon the question of the adoption of the foregoing motion (b) by Councillor Sinclair, insofar as it pertains to striking out Condition No. (2) embodied in the recommendation of the North York Community Council, the vote was taken as follows:

Yeas: Councillors: Davis, Duguid, Kelly, Pitfield, Sinclair - 5.

Nays: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 50.

Decided in the negative by a majority of 45.

Upon the question of the adoption of the foregoing motion (a) by Mayor Lastman, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 54.

Nay: Councillor: Giansante - 1.

Decided in the affirmative by a majority of 53.

Upon the question of the adoption of the foregoing motion (d) by Councillor Layton, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that Council adopt the foregoing Clause, and further that:

- (1) the issue of the three arenas be referred to the Mayor, with a request that he meet with representatives of the Greater Toronto Hockey League to discuss any potential locations in the City of Toronto; and
- (2) the Toronto Transit Commission arrangements be endorsed and referred to the Environmental Task Force for consideration as a precedent for new development in the City.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas - 53.

Nays: Councillors: Ashton, Walker - 2.

Decided in the affirmative by a majority of 51.

2056 Councillor Mihevc, seconded by Councillor Walker, at 12:49 p.m., moved that leave be granted to introduce:

Bill No. 973 To confirm the proceedings of the Council at its meeting held on the 16th day of December, 1998,

which was carried.

Upon the question, “Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?”, as follows:

By-law No. 890-1998 To confirm the proceedings of the Council at its meeting held on the 16th day of December, 1998,

it was carried unanimously.

Council recessed at 12:50 p.m.

2:15 P.M.

Council reconvened.

Councillor Jakobek took the Chair and called the Members to order.

2057 At the request of Council, the City Clerk called the Roll at 2:20 p.m., those Members present at the call of the Roll being:

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chow, Duguid, Faubert, Flint, Holyday, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Miller, Moeser, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 31.

2058 Members present at the afternoon session of the first day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 56.

Council resumed its consideration of the various Reports of the Standing Committees and Community Councils.

2059 **Clause No. 4 of Report No. 15 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Administrative Structure for Arts Grants".**

Council also had before it, during consideration of the foregoing Clause, communications from the following pertaining to the arm's length funding proposal for the arts in the new City of Toronto:

- (December 4, 1998) Mr. John Van Burek, The Pleiades Theatre; and
- (December 8, 1998) from Ms. Alberta Nokes, Toronto.

Council also had before it, during consideration of the foregoing Clause, communications from the following pertaining to the arm's length funding proposal for the arts in the new City of Toronto:

- (i) (December 15, 1998) from Mr. Silvio Sauro, Etobicoke Municipal Arts Commission; and
- (ii) (December 16, 1998) from Mr. Richard Rose, Artistic Director, Tarragon Theatre.

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 2060 At this point in the proceedings, Councillor Feldman, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 4 of Report No. 15 of The North York Community Council, headed “All Way Stop Control - Maniza Road and Plewes Road - School Bus Loading Zone - Plewes Road - North York Spadina”, be re-opened for further consideration, which was carried, more than two-thirds of Members present having voted in the affirmative.

Clause No. 4 of Report No. 15 of The North York Community Council, headed “All Way Stop Control - Maniza Road and Plewes Road - School Bus Loading Zone - Plewes Road - North York Spadina”.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Feldman, in amendment, moved that the foregoing Clause be amended by striking out Recommendation No. (3) embodied in the report dated November 23, 1998, from the Director, Transportation Services, District 3, and inserting in lieu thereof the following new Recommendation No. (3):

- “(3) that By-law No. 32759, of the former City of North York, be amended to relocate the existing school bus loading zone on the south side of Plewes Road, such that the school bus loading zone will be on the south side of Plewes Road from a point 17 metres west of the westerly limit of Maniza Road to a point 50 metres westerly thereof.”

Upon the question of the adoption of the foregoing motion by Councillor Feldman, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

- 2061 At this point in the proceedings, Councillor Giansante requested that he be granted the permission of Council to change his vote from the negative to the affirmative on motion (a) by Mayor Lastman related to Clause No. 24 of Report No. 15 of The North York Community Council, headed “Official Plan and Zoning Amendment Application UDOZ-97-28 - Destination Technodome - Heathmount A.E. Corp. - West of W.R. Allen Road, South of Sheppard Avenue West - North York Spadina”, which would result in a unanimous vote in the affirmative, rather than a vote of 54 in the affirmative and 1 in the negative.

Councillor Jakobek requested that Councillor Giansante’s request be noted in the Minutes of this meeting, having regard that the bills related to the foregoing Clause had already been adopted by Council and that, in order to change Councillor Giansante’s vote, the Clause would have to be re-opened for further consideration.

Council took no action on the foregoing requests.

- 2062 **Clause No. 12 of Report No. 12 of The Scarborough Community Council, headed “Retaining Planner for Ontario Municipal Board Hearing, 2055-2069 Lawrence Avenue East, Ward 14 - Scarborough Wexford”.**

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

Mayor Lastman gave the Chair to Deputy Mayor Ootes, and vacated the Chair.

- 2063 At this point in the proceedings, Deputy Mayor Ootes, with the permission of Council, introduced the Grades 6, 7 and 8 students from Amesbury Middle School, Toronto, present at this meeting.

- 2064 At this point in the proceedings, Deputy Mayor Ootes proposed that Council now proceed through the balance of Report No. 16 of The Toronto Community Council, with Members of Council indicating those Clauses, by number, on which they wish to speak; that Council then proceed with the adoption of the remaining Clauses; and that Council then give further consideration to those Clauses which have been held at the request of Members of Council, not necessarily in the order they appear on the Agenda.

Council concurred in the foregoing proposal.

Upon the question of the adoption of the balance of Report No. 16 of The Toronto Community Council (with the exception of Clauses Nos. 18, 29, 30, 42, 52 and 62), without amendment, it was carried. (See also Minute Nos. 2086 and 2157.)

- 2065 **Clause No. 18 of Report No. 16 of The Toronto Community Council, headed “Intention to Designate Under Part IV of the Ontario Heritage Act - Draper Street Heritage Conservation District (Downtown)”.**

Council also had before it, during consideration of the foregoing Clause, a communication (December 14, 1998) from the Acting Managing Director, Toronto Historical Board submitting a replacement Draper Street Heritage Conservation District Study.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Chow, in amendment, moved that the foregoing Clause be amended to provide that Recommendations Nos. (3) and (4) embodied in the report dated November 23, 1998, from the Acting Managing Director, Toronto Historical Board, be amended to read as follows:

- “(3) that Council adopt the preservation guidelines set out in the Draper Street Heritage Conservation District Study, attached to the report dated December 14, 1998, from the Acting Managing Director, Toronto Historical Board; and

- (4) that Council adopt the implementation procedure set out in the Draper Street Heritage Conservation District Study, attached to the report dated December 14, 1998, from the Acting Managing Director, Toronto Historical Board.”

Upon the question of the adoption of the foregoing motion by Councillor Chow, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2066 **Clause No. 29 of Report No. 16 of The Toronto Community Council, headed “Hearing - Alteration of Roxborough Drive by the Installation of Speed Humps (Midtown)”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Adams, in amendment, moved that the foregoing Clause be amended by striking out Recommendation No. (2) embodied in the report dated September 2, 1998, from the Director, Infrastructure Planning and Transportation Division, City Works Services, viz:

- “(2) that the speed limit be reduced from 40 kilometres per hour to 30 kilometres per hour on Roxborough Drive from Mt. Pleasant Road to Highland Avenue coincident with the implementation of speed humps;”.

Upon the question of the adoption of the foregoing motion by Councillor Adams, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2067 **Clause No. 42 of Report No. 16 of The Toronto Community Council, headed “Appeal of Driveway Widening - 103 Moore Avenue (Midtown)”.**

Having regard that the foregoing Clause was submitted without recommendation, Councillor Adams moved that Council adopt the following recommendation:

- “It is recommended that the foregoing Clause be struck out and referred back to the Toronto Community Council for further consideration and the hearing of deputations.”

Upon the question of the adoption of the foregoing motion by Councillor Adams, it was carried.

2068 **Clause No. 52 of Report No. 16 of The Toronto Community Council, headed “Port Industrial District and a Portion of the East Bayfront - Part II Study (Don River)”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Pantalone, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee identifying who has jurisdiction over land use on the Port Lands.”

Upon the question of the adoption of the foregoing motion by Councillor Pantalone, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2069 Clause No. 3 of Report No. 14 of The Urban Environment and Development Committee, headed “Access to the City Centre Airport (Ward: Downtown)”.

Council also had before it, during consideration of the foregoing Clause, the following communications:

- (i) From the following in support of the construction of a bridge to the Island Airport:
- (December 7, 1998) Mr. John Rendle, Toronto;
 - (December 10, 1998) Mr. Ross A. McLeod, President, Intelligarde; and
 - (December 10, 1998) Ms. Lisa Gordon, Toronto.
- (ii) from the following in opposition to the construction of a bridge to the Island Airport:
- (December 3, 1998) Mr. Harve Sokoloff, Toronto;
 - (December 7, 1998) Ms. Jean Walker, Toronto;
 - (December 9, 1998) Mr. Bruce A. Brown, Toronto;
 - (December 4, 1998) Ms. Paula O'Connor, Toronto;
 - (December 10, 1998) Mr. Jack Taylor, Maple, Ontario;
 - (December 10, 1998) Mr. Colin Andrews, Plasma Environmental Technologies Inc.;
 - (December 11, 1998) Ms. Susan Costigane, President, Domicity Ltd.;
 - (December 14, 1998) Mr. Richard MacLean, Toronto;
 - Petition signed by 8 residents within the area of the Island Airport;
 - (December 13, 1998) Dr. Atilla Turgay, Clinical Director, Scarborough General Hospital;
 - (December 14, 1998) Mr. Murray Geddes, Geddes and Rubin Management Inc.;
 - (December 14, 1998) Mr. Dennis I. Bryant, Bryant Renovations and Fine Carpentry;
 - (December 13, 1998) Ms. Peggie Sampson, Toronto;

- (December 14, 1998) Mr. Burton Kramer, Kramer Design Associates Ltd.;
- (December 14, 1998) Mr. Peter Harper, Toronto;
- (December 14, 1998) Mr. John Harper and Ms. Gaby Harper, Toronto; and

Council also had before it, during consideration of the foregoing Clause, the following report and communication:

- (i) (December 15, 1998) from the Chief Financial Officer and Treasurer reporting, as requested, on any additional financial information City Council should be aware of prior to final approval; and
- (ii) (December 15, 1998) from Ms. Shirley Bush, Toronto, in opposition to the construction of a bridge to the Island Airport.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Chow, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that City Council continue to prohibit all future jets at the Island Airport, with the exception of the currently-permitted Medevac jets.”

Deputy Mayor Ootes designated Councillor Brown to take the Chair for the next part of the meeting, and vacated the Chair.

Deputy Mayor Ootes resumed the Chair.

- (b) Councillor Walker, in amendment, moved that the foregoing Clause be amended by amending Recommendation No. (1) of the Urban Environment and Development Committee by deleting from the preamble the words “in principle”.
- (c) Councillor McConnell, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) no amendments to the Tripartite Agreement be considered until the design phase is completed, all the environmental concerns have been addressed and the cost implications are known; and
 - (2) the Chief Financial Officer and Treasurer be requested to conduct a thorough financial analysis of the Business Plan.”
- (d) Councillor Adams, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee on the facts of the flight paths of commuter aircraft which use the City Centre Airport, at present and as projected for the future.”

(e) Councillor Layton, in amendment, moved that the foregoing Clause be amended by:

(1) amending Recommendation No. (1) of the Urban Environment and Development Committee, by:

(a) adding thereto the following additional conditions:

“(g) the approval being subject to the Toronto Harbour Commission and/or its successor, the Port Authority, putting in place a landing fee and thereby raising sufficient funds in advance of the construction of the bridge to cover at least 50 percent of the costs; and

(h) the approval being conditional upon a legally binding commitment that not one penny of City tax dollars will be spent on the bridge or on Airport losses which result from the bridge financing;”;

(b) adding to Part (a) thereof, the words “and City Council”; and

(c) deleting from Part (c) thereof, the words “that gives” and inserting in lieu thereof the words “recommending that City Council give”; and

(2) adding thereto the following:

“It is further recommended that the Toronto Harbour Commission be requested to submit its proposed Letters Patent to the January, 1999, meeting of the Strategic Policies and Priorities Committee, in order that City Council may review its impact on the operation of the Airport.”

(f) Councillor Bussin, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Canadian Coast Guard and/or the Federal Fisheries Ministry be requested to submit to the Urban Environment and Development Committee, their report on the impact of the fixed link (bridge) to the City Centre Airport.”

(g) Councillor Rae, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Greater Toronto Airports Authority (GTAA), as a courtesy, be requested to make available to the City of Toronto, through the Office of the Mayor and the Chairs of the Economic Development Committee and the Urban Environment and Development Committee, its analysis and conclusions as to the City Centre Airport forecasted passenger volumes and financial implications, and further, that Mayor Lastman be requested to expeditiously forward this request to the GTAA verbatim and in writing.”

Upon the question of the adoption of the foregoing motion (b) by Councillor Walker, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Ashton, Balkissoon, Berardinetti, Berger, Brown, Chong, Davis, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Moeser, Nunziata, Ootes, Prue, Saundercook, Shiner, Tzekas, Walker - 32.

Nays: Councillors: Altobello, Augimeri, Bossons, Bussin, Chow, Filion, Jakobek, Johnston, Jones, Kinahan, Layton, McConnell, Mihevc, Miller, Minnan-Wong, O'Brien, Pantalone, Pitfield, Rae, Sgro, Shaw, Silva - 22.

Decided in the affirmative by a majority of 10.

Upon the question of the adoption of Part (1)(a) of the foregoing motion (e) by Councillor Layton, insofar as it pertains to the addition of condition (g), the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Bossons, Bussin, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Rae, Tzekas - 16.

Nays: Mayor: Lastman.
Councillors: Adams, Balkissoon, Berardinetti, Berger, Brown, Chong, Davis, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Saundercook, Sgro, Shaw, Shiner, Silva, Walker - 38.

Decided in the negative by a majority of 22.

Upon the question of the adoption of Part (1)(a) of the foregoing motion (e) by Councillor Layton, insofar as it pertains to the addition of condition (h), the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Chow, Davis, Duguid, Faubert, Feldman, Filion, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 47.

Nays: Councillors: Disero, Flint, Fotinos, Gardner, Kelly, King, Prue - 7.

Decided in the affirmative by a majority of 40.

Upon the question of the adoption of Part (1)(b) of the foregoing motion (e) by Councillor Layton, it was carried.

Upon the question of the adoption of Part (1)(c) of the foregoing motion (e) by Councillor Layton, it was carried.

Upon the question of the adoption of the foregoing motion (a) by Councillor Chow, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bossons, Bussin, Chow, Filion, Jakobek, Johnston, Jones, Kinahan, Layton, Mammoliti, McConnell, Mihevc, Miller, O'Brien, Pantalone, Rae, Silva, Walker - 23.

Nays: Councillors: Adams, Berardinetti, Berger, Brown, Chong, Davis, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Prue, Saundercook, Sgro, Shaw, Shiner, Tzekas - 31.

Decided in the negative by a majority of 8.

Upon the question of the adoption of the foregoing motion (c) by Councillor McConnell, the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Bossons, Bussin, Chong, Chow, Filion, Flint, Johnston, Jones, Kinahan, Layton, McConnell, Mihevc, Miller, Pantalone, Pitfield, Rae, Sgro - 19.

Nays: Mayor: Lastman.

Councillors: Adams, Ashton, Balkissoon, Berardinetti, Berger, Brown, Davis, Disero, Duguid, Faubert, Feldman, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Prue, Saundercook, Shaw, Shiner, Silva, Tzekas, Walker - 35.

Decided in the negative by a majority of 16.

Upon the question of the adoption of the foregoing motion (d) by Councillor Adams, it was carried.

Upon the question of the adoption of Part (2) of the foregoing motion (e) by Councillor Layton, the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Bossons, Bussin, Chow, Davis, Faubert, Filion, Johnston, Jones, Kinahan, Layton, McConnell, Mihevc, Miller, Prue, Rae - 18.

Nays: Mayor: Lastman.
Councillors: Adams, Balkissoon, Berardinetti, Berger, Brown, Chong, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 35.

Decided in the negative by a majority of 17.

Upon the question of the adoption of the foregoing motion (f) by Councillor Bussin, the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Bussin, Chow, Davis, Duguid, Faubert, Filion, Jakobek, Johnston, Jones, Kelly, Kinahan, Layton, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, O'Brien, Pitfield, Rae, Shaw, Silva, Tzekas, Walker - 30.

Nays: Mayor: Lastman.
Councillors: Adams, Balkissoon, Brown, Chong, Disero, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Moeser, Nunziata, Ootes, Prue, Saundercook, Sgro, Shiner - 23.

Decided in the affirmative by a majority of 7.

Upon the question of the adoption of the foregoing motion (g) by Councillor Rae, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Davis, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 45.

Nays: Mayor: Lastman.
Councillors: Balkissoon, Brown, Disero, Fotinos, Gardner, Jakobek, Mahood - 8.

Decided in the affirmative by a majority of 37.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended by:

- (1) amending Recommendation No. (1) of the Urban Environment and Development Committee, by:
 - (a) deleting from the preamble the words ‘in principle’;
 - (b) adding to Part (a) thereof, the words ‘and City Council’;
 - (c) deleting from Part (c) thereof, the words ‘that gives’ and inserting in lieu thereof the words ‘recommending that City Council give’; and
 - (d) adding thereto the following additional condition:
 - ‘(g) approval being conditional upon a legally binding commitment that not one penny of City tax dollars will be spent on the bridge or on Airport losses which result from the bridge financing;’,

so that such recommendation shall now read as follows:

- ‘(1) the adoption of a fixed link to the City Centre Airport being built in the form of a bridge, subject to:
 - (a) the approval of the design of the bridge by the Fire Chief, the General Manager, Ambulance Services, and City Council;

- (b) the final design of the bridge being submitted to the Urban Environment and Development Committee for review and approval for consistency with established urban design objectives along the waterfront;
 - (c) the Chief Financial Officer and Treasurer being requested to submit a report to the Urban Environment and Development Committee recommending that City Council give approval to the bridge's business plan;
 - (d) the Commissioner of Urban Planning and Development Services being requested to submit a report to the Urban Environment and Development Committee, prior to authorization of the alteration of Bathurst Street, on the cost of such alteration and the source of funding;
 - (e) the Toronto Harbour Commission and the Port Authority being required to monitor and report annually to the Urban Environment and Development Committee on the effects of the bridge operation, as requested by the City;
 - (f) the Commissioner of Works and Emergency Services being requested to submit a report to the Urban Environment and Development Committee on the impact of the Fixed Link on traffic patterns along the waterfront and what concrete traffic calming options exist, such report to seek the input of local residents and be the subject of a public meeting; and
 - (g) approval being conditional upon a legally binding commitment that not one penny of City tax dollars will be spent on the bridge or on Airport losses which result from the bridge financing; and
- (2) adding thereto the following:
- ‘It is further recommended that:
- (a) the Canadian Coast Guard and/or the Federal Fisheries Ministry be requested to submit to the Urban Environment and Development Committee, their report on the impact of the fixed link (bridge) to the City Centre Airport;
 - (b) the Greater Toronto Airports Authority (GTAA), as a courtesy, be requested to make available to the City of Toronto, through the Office of the Mayor and the Chairs of the Economic Development

Committee and the Urban Environment and Development Committee, its analysis and conclusions as to the City Centre Airport forecasted passenger volumes and financial implications, and further, that Mayor Lastman be requested to expeditiously forward this request to the GTAA verbatim and in writing; and

- (c) the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee on the facts of the flight paths of commuter aircraft which use the City Centre Airport, at present and as projected for the future.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Ashton, Balkissoon, Berardinetti, Berger, Brown, Chong, Davis, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Prue, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 38.

Nays: Councillors: Altobello, Augimeri, Bossons, Bussin, Chow, Filion, Jakobek, Johnston, Jones, Kinahan, Layton, McConnell, Mihevc, Miller, Rae - 15.

Decided in the affirmative by a majority of 23.

2070 Councillor McConnell, seconded by Councillor Berardinetti, at 5:55 p.m., moved that leave be granted to introduce:

Bill No. 974 To confirm the proceedings of the Council at its meeting held on the 16th day of December, 1998,

which was carried.

Upon the question, “Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?”, as follows:

By-law No. 891-1998 To confirm the proceedings of the Council at its meeting held on the 16th day of December, 1998,

the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Ashton, Balkissoon, Berardinetti, Berger, Brown, Chong, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Prue, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 42.

Nays: Councillors: Altobello, Augimeri, Bossons, Bussin, Chow, Johnston, Jones, Layton, Miller, Rae, - 10.

Decided in the affirmative by a majority of 32.

At this point in the proceedings, Deputy Mayor Ootes proposed that Council now recess and reconvene at 8:00 p.m.

Council concurred in the foregoing proposal.

Council recessed at 5:55 p.m.

8:12 P.M.

Council reconvened.

Deputy Mayor Ootes took the Chair and called the Members to order.

2071 At the request of Council, the City Clerk called the Roll at 8:12 p.m., those Members present at the call of the Roll being:

Councillors: Augimeri, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Faubert, Feldman, Flint, Gardner, Johnston, Jones, Kelly, King, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Walker - 36.

2072 Members present at the evening session of the first day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 55.

Council resumed its consideration of the various Reports of the Standing Committees and Community Councils.

2073 **Clause No. 1 of Report No. 14 of The Urban Environment and Development Committee, headed “Options for Ward Boundary Changes”.**

Council also had before it, during consideration of the foregoing Clause, the following communications and report:

- (i) (December 8, 1998) from Councillor Holyday recommending that Option 4-1a be adopted with respect to the Ward Boundary in Markland-Centennial;
- (ii) (December 9, 1998) from Councillors Brown and Sinclair requesting that Council refer the issue with respect to the Ward 5 boundary option to the Etobicoke Community Council for further discussion;
- (iii) (December 11, 1998) from the City Clerk forwarding the recommendations of the East York Community Council with respect to the options for Ward boundary changes;
- (iv) (December 10, 1998) from the City Clerk forwarding communications from the following with respect to the options for Ward boundary changes:
 - (November 25, 1998) the President, Etobicoke Federation of Ratepayers’ and Residents’ Associations; and
 - (December 8, 1998) Ms. Joanna Twitchin, Co-President, Thistletown Ratepayers Association;
- (v) (December 3, 1998) from the City Solicitor reporting, as requested, on the City’s legal representation in the court application to determine whether City Council has the authority to change its size and composition; and
- (vi) (December 14, 1998) from the City Clerk submitting revised pages with respect to the options for Ward boundary changes.

Council also had before it, during consideration of the foregoing Clause, the following communications and petitions:

- (i) (December 15, 1998) from Councillor O’Brien, Markland-Centennial, indicating his preferred option regarding the boundaries of Ward 4;
- (ii) petition signed by approximately 129 citizens in support of the area bounded by Bloor Street West, the CPR tracks and Keele Street, remaining part of Ward 21;

- (iii) (December 15, 1998) from Mr. David Thornton, President, The Moore Park Residents' Association;
- (iv) (December 15, 1998) from Ms. Rose Andrachuk, Toronto;
- (v) (December 16, 1998) from Mr. Mark Tyler, Toronto;
- (vi) petition containing five signatures, filed by Councillor Douglas Holyday, Markland-Centennial; and
- (vii) (December 16, 1998) from Mr. Justin J. Van Dette, Toronto, submitting a petition containing signatures of residents in the Parkview Hills Community, filed by Councillor Jane Pitfield, East York.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Pantalone, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the report dated December 3, 1998, from the City Solicitor, entitled ‘Legal Representation at an Application to Determine Authority to Change the Size and Composition of City Council’, be adopted.”

- (b) Councillor Walker, in amendment, moved that the foregoing Clause, together with all communications and petitions in this regard, be received.
- (c) Councillor Prue, seconded by Councillor Pitfield, in amendment, moved that the foregoing Clause be amended by deleting Recommendation No. (3)(a)(iii) of the Urban Environment and Development Committee and inserting in lieu thereof the following:

“(iii) divide East York (Ward 1) into three single member Wards reflecting actual communities and in line with the attached map, and these Wards be as follows:

- | | | | |
|---|--------------------|---|--------------------------|
| - | northwesterly Ward | - | 33,100 constituents; |
| - | southerly Ward | - | 33,900 constituents; and |
| - | easterly Ward | - | 40,800 constituents.”, |

and further that the northern boundary of Ward 26 be adjusted accordingly.

Deputy Mayor Ootes designated Councillor Chong to take the Chair for the next part of the meeting, and vacated the Chair.

- (d) Councillor Jones, in amendment, moved that the foregoing Clause be amended to provide that the Ward boundary division for Lakeshore - Queensway (Ward 2) be Highway 427, south to the Queen Elizabeth Way, east to Royal York Road, and south to Lake Ontario, as shown on the attached revised map.
- (e) Councillor Bussin, in amendment, moved that the foregoing Clause be amended:
- (1) to provide that the dividing line for East Toronto (Ward 26) , as described in Map 26, be adopted, subject to the area of Victoria Park Avenue (south of Brachen Avenue) being retained in the Scarborough Bluffs Ward (current boundary line); and
 - (2) by adding thereto the following:

“It is further recommended that the City Clerk be requested to submit a report to the Urban Environment and Development Committee on the possibility of retaining the current Ward structure, that is two Councillors per Ward, for those Members of Council who do not wish to have their Wards divided.”

At this point in the proceedings, Councillor Pantalone requested Acting Chair Chong to rule on whether Part (2) of the foregoing motion (e) by Councillor Bussin was in order.

Acting Chair Chong, having regard to the nature of Part (2) of the foregoing motion (e) by Councillor Bussin, ruled such motion out of order.

- (f) Councillor Fotinos, in amendment, moved that the foregoing Clause be amended to provide that the area bounded by Keele Street to the west, Bloor Street West to the south, the Canadian National Railway tracks to the east (representing 7,800 people) be moved out of Ward 21 and into Ward 19, as per the attached revised map.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See also Minutes Nos. 2080 and 2085.)

At this point in the proceedings, Acting Chair Chong proposed that Council now recess and reconvene at 9:30 a.m. on Thursday, December 17, 1998.

Council concurred in the foregoing proposal.

Council recessed at 9:57 p.m. to reconvene at 9:30 a.m. on Thursday, December 17, 1998.

THURSDAY, DECEMBER 17, 1998, 9:40 A.M.

Council reconvened.

Deputy Mayor Ootes took the Chair and called the Members to order.

- 2074 At the request of Council, the City Clerk called the Roll at 9:41 a.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Disero, Faubert, Flint, Fotinos, Holyday, Jakobek, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Walker - 40.

- 2075 Members present at the morning session of the second day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 56.

Council resumed its consideration of the various Reports of the Standing Committees and Community Councils.

- 2076 **Clause No. 17 of Report No. 19 of The Corporate Services Committee, headed "Purchase of Property at the Greenwood Subdivision for Public Parking Purposes".**

Council also had before it, during consideration of the foregoing Clause, a confidential report (November 26, 1998) from the President, Toronto Parking Authority, such report, save and except the recommendations embodied therein, to remain confidential in accordance with the provisions of the Municipal Act.

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 2077 **Clause No. 16 of Report No. 19 of The Corporate Services Committee, headed "Use of Parking Machines for On-Street Parking".**

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

2078 **Clause No. 2 of Report No. 14 of The Emergency and Protective Services Committee, headed “Restricting Horse-Drawn Carriages in the City of Toronto”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Lindsay Luby, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) Section 35 of By-law No. 20-85 be amended to restrict horse drawn vehicles used for commercial purposes from streets in the downtown core of Toronto and from major arterial roads in Toronto; and
- (2) legislation be sought from the Province of Ontario to enable the City of Toronto to prohibit horse drawn vehicles used for commercial purposes from all streets in the City of Toronto.”

Upon the question of the adoption of the foregoing motion by Councillor Lindsay Luby, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2079 **Clause No. 2 of Report No. 19 of The Corporate Services Committee, headed “Human Rights, Harassment and Hate Activity Policy Framework”.**

Council also had before it, during consideration of the foregoing Clause, the following communications and report:

- (i) (December 7, 1998) from Ms. Alison Kemper, Executive Director, The 519 Church Street Community Centre with respect to the draft policies regarding human rights, harassment and hate crimes;
- (ii) (December 9, 1998) from the Executive Director of Human Resources reporting, as requested, with respect to the Human Rights, Harassment and Hate Activity Policy Framework; and
- (iii) (December 11, 1998) from the Committee Administrator, The Committee on the Status of Women recommending adoption of the report dated November 25 1998, from the Executive Director of Human Resources regarding the Human Rights, Harassment and Hate Activity Policy Framework.

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 2080 Council resumed its consideration of Clause No. 1 of Report No. 14 of The Urban Environment and Development Committee, headed "Options for Ward Boundary Changes". (See also Minutes Nos. 2073 and 2085.)

At this point in the proceedings, Councillor Bussin, with the permission of Council, withdrew Part (1) of her foregoing motion (e), viz.:

"that the foregoing Clause be amended:

- (1) to provide that the dividing line for East Toronto (Ward 26) , as described in Map 26, be adopted, subject to the area of Victoria Park Avenue (south of Brachen Avenue) being retained in the Scarborough Bluffs Ward (current boundary line);".

At this point in the proceedings, Councillor Saundercook, with the permission of Council, moved that, in accordance with subsection 133(1) of the Council Procedural By-law, subsection 21.1(2) of such By-law be waived, in order to permit Members of Council an additional opportunity to question the appropriate staff in regard to the foregoing Clause, the vote upon which was taken as follows:

Yeas: Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chow, Disero, Duguid, Faubert, Flint, Fotinos, Holyday, King, Korwin-Kuczynski, Li Preti, Moeser, Nunziata, O'Brien, Pitfield, Saundercook - 23.

Nays: Councillors: Berger, Layton, McConnell, Miller, Ootes, Pantalone, Prue, Rae, Shaw, Silva, Walker - 11.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

- (g) Councillor Saundercook, in amendment, moved that the foregoing Clause be amended to provide that, as a result of the decision of the North York Community Council which was made subsequent to the York Community Council deliberations on this matter, the Ward boundary division for York Humber (Ward 27) be revised to follow Black Creek to Eglinton Avenue, east to the CN Rail Line, as shown on the attached revised map.
- (h) Councillor Miller, in amendment, moved that the foregoing Clause be struck out and referred back to the Urban Environment and Development Committee, with a request that the City Solicitor and the City Clerk submit a joint report to the Committee outlining recommendations for a process to consult with residents to determine:

- (1) if the division of the Wards is supported at this time; and
- (2) an additional process to more fully involve residents in determining proper Ward boundaries.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the previous decision of Council and the nature of the foregoing motion (h) by Councillor Miller, ruled such motion out of order.

Councillor Miller challenged the ruling of the Deputy Mayor.

Upon the question "Shall the ruling of the Deputy Mayor be upheld?", the vote was taken as follows:

Yeas: Councillors: Ashton, Balkissoon, Bossons, Brown, Cho, Disero, Duguid, Faubert, Flint, Fotinos, Holyday, Jakobek, Kelly, King, Lindsay Luby, Li Preti, McConnell, Mihevc, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shaw, Silva - 27.

Nays: Councillors: Altobello, Berardinetti, Bussin, Chow, Korwin-Kuczynski, Miller, Moscoe, Prue, Walker - 9.

Decided in the affirmative by a majority of 18.

- (i) Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended:
 - (1) to provide that the Liberty Area, east of Dufferin Street, south of the CN/CP Rail line, north of the Gardiner Expressway and west of Strachan Avenue, be deleted from Trinity-Niagara (Ward 20) and included in High Park (Ward 19), as shown on the attached map; and
 - (2) by adding thereto the following:

"It is further recommended that Council express its appreciation to staff of the City Clerk and other appropriate City staff for the exemplary work they have done on the Ward boundaries project."
- (j) Councillor Brown, seconded by Councillor Jones, in amendment, moved that the foregoing Clause be amended to provide that consideration of the dividing boundary of Rexdale-Thistletown (Ward 5) be struck out and referred back to the Etobicoke Community Council for further discussion at its first meeting in January, 1999.

- (k) Councillor Holyday, in amendment, moved that the foregoing Clause be amended to provide that the Ward boundary division for Markland - Centennial (Ward 4) be Highway 427 as shown on the attached Map 4-1a.

Deputy Mayor Ootes designated Councillor Jakobek to take the Chair for the next part of the meeting, and vacated the Chair.

- (l) Councillor Davis, in amendment, moved that the foregoing Clause be amended:
- (1) to provide that the Ward boundary division for York Eglinton (Ward 28) be as shown on the attached Map 28-1b; and
 - (2) by adding thereto the following:

“It is further recommended that the Commissioner of Urban Planning and Development Services, in consultation with the City Clerk, be requested to submit a report to the Urban Environment and Development Committee on the long-term process for Ward distribution with a ten-year horizon.”
- (m) Councillor Adams, seconded by Councillor Bossons, in amendment, moved that the foregoing Clause be amended to provide that the Ward boundary division for Midtown (Ward 23) follow the Vale of Avoca Ravine to the southerly boundary of the Mount Pleasant Cemetery, as shown on the attached revised map,
- (n) Councillor Shiner, in amendment, moved that the foregoing Clause be amended to provide that the southerly Ward boundary division for Seneca Heights (Ward 12) be Highway 401, between Bayview Avenue and Leslie Street, as shown on the attached revised map.
- (o) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended to provide that the matter of the boundary divisions of the three Wards within East York (Ward 1), be referred back to the East York Community Council in order that an additional public meeting may be held in this regard.
- (p) Councillor Disero, in amendment, moved that the foregoing Clause be amended:
- (1) to provide that the Ward boundary division for Davenport (Ward 21) follow the CP Rail Line, east to Ossington Avenue, north on Ossington Avenue to Davenport Road, and east on Davenport Road to Christie Street, as shown on the attached revised map; and
 - (2) by adding thereto the following:

“It is further recommended that the Commissioner of Urban Planning and Development Services, in consultation with the City Clerk, be requested to

submit a report to the Urban Environment and Development Committee, after the by-law has been approved and in preparation for the Ontario Municipal Board Hearing, on the feasibility of further consultation on the areas of conflict, such report to include all associated costs.”

At this point in the proceedings, Councillor Balkissoon, with the permission of Council, moved that Council vary the order of its proceedings to now consider the following Notice of Motion J(21); that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of such Notice of Motion and that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 4A of The Urban Environment and Development Committee, headed “Ward Boundary Review Process”, be re-opened for further consideration:

Moved by: Councillor Balkissoon

Seconded by: Councillor Saundercook

“**WHEREAS** City Council at its meeting held on April 28, and May 1, 1998, in adopting, as amended, Clause No. 1 of Report No. 4A of The Urban Environment and Development Committee, headed ‘Ward Boundary Review Process’, directed that:

‘variations in average Ward populations of plus or minus 25 percent be accepted as the norm;’ and

WHEREAS the C.D. Farquharson Community Association has requested that its community stay in the Scarborough Malvern Ward; and

WHEREAS to accommodate this request would have an impact on the Ward size of the Scarborough Malvern Ward and would have increased the population of this Ward to over the 25 percent limit of population variation established by Council;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, the foregoing decision of Council respecting variations in average Ward populations of plus or minus 25 percent be re-opened, insofar as it pertains to the Scarborough Malvern Ward, only;

AND BE IT FURTHER RESOLVED THAT the C.D. Farquharson community boundaries be returned to the Scarborough Malvern Ward;

AND BE IT FURTHER RESOLVED THAT the Scarborough Malvern Ward be divided as per the attached Map 18X;

AND BE IT FURTHER RESOLVED THAT the Scarborough Malvern Ward be exempt from the population guidelines and that consideration of these populations

targets be given in the future when the current and planned developments within the Ward is completed and a more stable population is achieved.”,

the vote upon which was taken as follows:

Yeas: Councillors: Balkissoon, Brown, Chow, Davis, Duguid, Faubert, Flint, Fotinos, Holyday, Jakobek, Korwin-Kuczynski, Layton, Minnan-Wong, Moscoe, Prue, Saundercook, Sgro, Shiner - 18.

Nays: Councillors: Altobello, Augimeri, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Disero, Filion, Gardner, Jones, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Silva, Walker - 31.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

- (q) Councillor Balkissoon, in amendment, moved that the foregoing Clause be amended to provide that the matter of the Ward boundary divisions for Scarborough Malvern (Ward 18) be referred back to the Scarborough Community Council for further consideration and the hearing of deputations.
- (r) Councillor Kelly, in amendment, moved that the foregoing Clause be amended to provide that the eastern Ward boundary for Scarborough Wexford (Ward 14) begin in the northeast corner of Finch Avenue East, south on Birchmount Avenue to Bonis Avenue, eastward along Bonis Avenue to West Highland Creek, and down West Highland Creek to Highway 401, as shown on the attached map.
- (s) Councillor Shaw, in amendment, moved that the foregoing Clause be amended to provide that the matter of all of the Ward boundary revisions north of Highway 401 in the former City of Scarborough, be referred back to the Scarborough Community Council for further consideration.
- (t) Councillor Chow, in amendment, moved that:
 - (1) the foregoing Clause be amended by adding thereto the following:

“It is further recommended that outside legal counsel be retained to represent the City of Toronto in a court application to determine Council’s right to enact a by-law creating single-member Wards and to change the overall size of Council’s membership.”; and

- (2) the foregoing motion (p) by Councillor Disero be amended to provide that an independent tribunal be established by the Commissioner of Urban Planning and Development Services and the City Clerk, in order to settle all conflicts.

Deputy Mayor Ootes resumed the Chair.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 2073 and 2085.)

- 2081 At this point in the proceedings, Deputy Mayor Ootes, with the permission of Council, introduced the Grade 8 students of Transfiguration Separate School, Toronto, present at this meeting.
- 2082 At this point in the proceedings, Councillor Berardinetti, with the permission of Council, presented the following Reports for the consideration of Council:

Report No. 26 of The Strategic Policies and Priorities Committee, and
Report No. 12 of The Works and Utilities Committee,

and moved, seconded by Councillor McConnell, that the provisions of Section 44 of the Council Procedural By-law be waived in connection with the foregoing Reports and that Council now give consideration to such Reports, which was carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Ootes requested Members of Council to indicate the Report and Clause Number wherein they have an interest, together with the nature of the interest.

Councillor Balkissoon declared his interest in Clause No. 24 of Report No. 26 of The Strategic Policies and Priorities Committee, headed "Court Ordered Recount in Scarborough Malvern - Ward 18", in that he is a City Councillor for Scarborough Malvern, Ward 18.

Councillor Cho declared his interest in Clause No. 24 of Report No. 26 of The Strategic Policies and Priorities Committee, headed "Court Ordered Recount in Scarborough Malvern - Ward 18", in that he is a City Councillor for Scarborough Malvern, Ward 18.

Councillor Shiner declared his interest in Clause No. 20 of Report No. 26 of The Strategic Policies and Priorities Committee, headed "Write-Off of Uncollectible Business Taxes and Water Charges from the Collectors Roll", in that his family has an interest in a business that may owe taxes.

Deputy Mayor Ootes proposed that Council now proceed through the Reports, with Members of Council indicating those Clauses, by number, on which they wish to speak; that Council then proceed with the adoption of the remaining Clauses; and that Council then give further consideration to those Clauses which have been held at the request of Members of Council, not necessarily in the order they appear on the Agenda.

Council concurred in the foregoing proposal.

Upon the question of the adoption of Report No. 12 of The Works and Utilities Committee, consisting of one Clause only, without amendment, it was carried.

Upon the question of the adoption of Report No. 26 of The Strategic Policies and Priorities Committee, without amendment, it was held in its entirety.

Deputy Mayor Ootes proposed that Council now recess and reconvene at 2:00 p.m.

Council concurred in the foregoing proposal.

Council recessed at 12:25 p.m.

2:11 P.M.

Council reconvened.

Deputy Mayor Ootes took the Chair and called the Members to order.

2083 At the request of Council, the City Clerk called the Roll at 2:12 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Tzekas, Walker - 51.

2084 Members present at the afternoon session of the second day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 56.

- 2085 Council resumed its consideration of Clause No. 1 of Report No. 14 of The Urban Environment and Development Committee, headed "Options for Ward Boundary Changes". (See also Minutes Nos. 2073 and 2080.)

Upon the question of the adoption of the foregoing motion (b) by Councillor Walker, viz.:

"that the foregoing Clause, together with all communications and petitions in this regard, be received.",

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Berardinetti, Berger, Brown, Bussin, Davis, Flint, Holyday, Johnston, Kinahan, Lindsay Luby, Miller, Ootes, Pitfield, Prue, Saundercook, Sgro, Tzekas, Walker - 20.

Nays: Mayor: Lastman.
Councillors: Adams, Ashton, Balkissoon, Bossons, Cho, Chong, Chow, Disero, Duguid, Faubert, Filion, Fotinos, Giansante, Jakobek, Jones, Kelly, King, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Pantalone, Rae, Shaw, Shiner, Silva - 34.

Decided in the negative by a majority of 14.

Upon the question of the adoption of the foregoing motion (o) by Councillor Moscoe, viz.:

"that the foregoing Clause be amended to provide that the matter of the boundary divisions of the three Wards within East York (Ward 1), be referred back to the East York Community Council in order that an additional public meeting may be held in this regard.",

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Brown, Bussin, Chow, Faubert, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Miller, Minnan-Wong, Nunziata, Ootes, Pitfield, Prue, Tzekas, Walker - 24.

Nays: Mayor: Lastman.
Councillors: Ashton, Balkissoon, Berardinetti, Cho, Chong, Davis, Disero, Duguid, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Kelly, King, Lindsay Luby, Li Preti, Mahood, Mihevc, Moeser, O'Brien, Pantalone, Rae, Saundercook, Sgro, Shaw, Shiner, Silva - 30.

Decided in the negative by a majority of 6.

Upon the question of the adoption of the foregoing motion (j) by Councillor Brown, seconded by Councillor Jones, viz.:

“that the foregoing Clause be amended to provide that consideration of the dividing boundary of Rexdale-Thistletown (Ward 5) be struck out and referred back to the Etobicoke Community Council for further discussion at its first meeting in January, 1999.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Augimeri, Balkissoon, Bossons, Brown, Bussin, Chow, Davis, Faubert, Filion, Flint, Fotinos, Holyday, Johnston, Jones, Kelly, Kinahan, Layton, Miller, Nunziata, Pitfield, Prue, Shaw, Walker - 24.

Nays: Councillors: Adams, Altobello, Ashton, Berardinetti, Cho, Chong, Disero, Duguid, Giansante, Jakobek, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shiner, Silva, Tzekas - 29.

Decided in the negative by a majority of 5.

Upon the question of the adoption of the foregoing motion (s) by Councillor Shaw, viz.:

“that the foregoing Clause be amended to provide that the matter of all of the Ward boundary revisions north of Highway 401 in the former City of Scarborough, be referred back to the Scarborough Community Council for further consideration.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Balkissoon, Bossons, Brown, Bussin, Chow, Faubert, Holyday, Jakobek, Johnston, Kelly, Kinahan, Layton, Miller, Pitfield, Prue, Shaw, Walker - 19.

Nays: Mayor: Lastman.
Councillors: Adams, Ashton, Berardinetti, Cho, Chong, Davis, Disero, Duguid, Filion, Flint, Fotinos, Giansante, Jones, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shiner, Silva, Tzekas - 34.

Decided in the negative by a majority of 15.

Upon the question of the adoption of the foregoing motion (q) by Councillor Balkissoon, viz.:

“that the foregoing Clause be amended to provide that the matter of the Ward boundary divisions for Scarborough Malvern (Ward 18) be referred back to the Scarborough Community Council for further consideration and the hearing of deputations.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Balkissoon, Bossons, Brown, Bussin, Chow, Davis, Faubert, Fotinos, Holyday, Jakobek, Johnston, Kinahan, Layton, Miller, Minnan-Wong, Nunziata, Ootes, Prue, Saundercook, Shaw, Shiner, Walker - 24.

Nays: Mayor: Lastman.
Councillors: Adams, Ashton, Berardinetti, Cho, Chong, Disero, Duguid, Filion, Flint, Giansante, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Moeser, O'Brien, Pantalone, Pitfield, Rae, Sgro, Silva, Tzekas - 29.

Decided in the negative by a majority of 5.

Upon the question of the adoption of the foregoing motion (c) by Councillor Prue, seconded by Councillor Pitfield, viz.:

“that the foregoing Clause be amended by deleting Recommendation No. (3)(a)(iii) of the Urban Environment and Development Committee and inserting in lieu thereof the following:

‘(iii) divide East York (Ward 1) into three single member Wards reflecting actual communities and in line with the attached map, and these Wards be as follows:

- northwesterly Ward - 33,100 constituents;
- southerly Ward - 33,900 constituents; and
- easterly Ward - 40,800 constituents.’,

and further that the northern boundary of Ward 26 be adjusted accordingly.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Berardinetti, Bussin, Chow, Faubert, Filion, Layton, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Pitfield, Prue, Rae, Tzekas, Walker - 20.

Nays: Mayor: Lastman.
Councillors: Altobello, Balkissoon, Bossons, Brown, Cho, Chong, Davis, Disero, Duguid, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Moeser, O'Brien, Ootes, Pantalone, Saundercook, Sgro, Shaw, Shiner, Silva - 34.

Decided in the negative by a majority of 14.

Upon the question of the adoption of the foregoing motion (d) by Councillor Jones, viz.:

“that the foregoing Clause be amended to provide that the Ward boundary division for Lakeshore - Queensway (Ward 2) be Highway 427, south to the Queen Elizabeth Way, east to Royal York Road, and south to Lake Ontario, as shown on the attached revised map.”,

it was carried.

Upon the question of the adoption of the foregoing motion (k) by Councillor Holyday, viz.:

“that the foregoing Clause be amended to provide that the Ward boundary division for Markland - Centennial (Ward 4) be Highway 427 as shown on the attached Map 4-1a.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Berger, Cho, Disero, Faubert, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, Lindsay Luby, Li Preti, Mahood, Mammoliti, Minnan-Wong, Nunziata, Pitfield, Prue, Tzekas, Walker - 21.

Nays: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Davis, Duguid, Filion, Flint, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shaw, Shiner, Silva - 34.

Decided in the negative by a majority of 13.

Upon the question of the adoption of the foregoing motion (n) by Councillor Shiner, viz.:

“that the foregoing Clause be amended to provide that the southerly Ward boundary division for Seneca Heights (Ward 12) be Highway 401, between Bayview Avenue and Leslie Street, as shown on the attached revised map.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Bossons, Brown, Bussin, Chow, Disero, Faubert, Filion, Fotinos, Giansante, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, Miller, O'Brien, Ootes, Rae, Sgro, Shaw, Shiner, Silva - 28.

Nays: Councillors: Altobello, Berardinetti, Berger, Cho, Chong, Davis, Duguid, Flint, Gardner, Holyday, Jakobek, Johnston, King, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Saundercook, Tzekas, Walker - 27.

Decided in the affirmative by a majority of 1.

Upon the question of the adoption of the foregoing motion (r) by Councillor Kelly, viz.:

“that the foregoing Clause be amended to provide that the eastern Ward boundary for Scarborough Wexford (Ward 14) begin in the northeast corner of Finch Avenue East, south on Birchmount Avenue to Bonis Avenue, eastward along Bonis Avenue to West Highland Creek, and down West Highland Creek to Highway 401, as shown on the attached map.”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Bossons, Bussin, Cho, Davis, Disero, Faubert, Filion, Fotinos, Giansante, Jakobek, Kelly, Lindsay Luby, Mahood, Ootes, Saundercook, Shaw, Shiner - 18.

Nays: Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Chong, Chow, Duguid, Flint, Gardner, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Pitfield, Prue, Rae, Sgro, Silva, Tzekas, Walker - 37.

Decided in the negative by a majority of 19.

Upon the question of the adoption of Part (1) of the foregoing motion (i) by Councillor Korwin-Kuczynski, viz.:

“that the foregoing Clause be amended:

- (1) to provide that the Liberty Area, east of Dufferin Street, south of the CN/CP Rail line, north of the Gardiner Expressway and west of Strachan Avenue, be deleted from Trinity-Niagara (Ward 20) and included in High Park (Ward 19), as shown on the attached map;”

the vote was taken as follows:

Yeas: Councillors: Berger, Filion, Jakobek, Korwin-Kuczynski, Mammoliti, Pitfield, Shiner - 7.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Tzekas, Walker - 48.

Decided in the negative by a majority of 41.

Upon the question of the adoption of the foregoing motion (f) by Councillor Fotinos, viz.:

“that the foregoing Clause be amended to provide that the area bounded by Keele Street to the west, Bloor Street West to the south, the Canadian National Railway tracks to the east (representing 7,800 people) be moved out of Ward 21 and into Ward 19, as per the attached revised map.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Balkissoon, Cho, Chong, Davis, Disero, Duguid, Faubert, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, Lindsay Luby, Li Preti, Nunziata, Saundercook, Shaw, Shiner, Silva - 22.

Nays: Councillors: Altobello, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Chow, Filion, Flint, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Tzekas, Walker - 33.

Decided in the negative by a majority of 11.

Upon the question of the adoption of Part (1) of the foregoing motion (p) by Councillor Disero, viz.:

“that the foregoing Clause be amended:

- (1) to provide that the Ward boundary division for Davenport (Ward 21) follow the CP Rail Line, east to Ossington Avenue, north on Ossington Avenue to

Davenport Road, and east on Davenport Road to Christie Street, as shown on the attached revised map;”,

it was carried.

Upon the question of the adoption of the foregoing motion (m) by Councillor Adams, seconded by Councillor Bossons, viz.:

“that the foregoing Clause be amended to provide that the Ward boundary division for Midtown (Ward 23) follow the Vale of Avoca Ravine to the southerly boundary of the Mount Pleasant Cemetery, as shown on the attached revised map.”,

it was carried.

Upon the question of the adoption of the foregoing motion (g) by Councillor Saundercook, viz.:

“that the foregoing Clause be amended to provide that, as a result of the decision of the North York Community Council which was made subsequent to the York Community Council deliberations on this matter, the Ward boundary division for York Humber (Ward 27) be revised to follow Black Creek to Eglinton Avenue, east to the CN Rail Line, as shown on the attached revised map.”,

it was carried.

Upon the question of the adoption of Part (1) of the foregoing motion (l) by Councillor Davis, viz.:

“that the foregoing Clause be amended:

- (1) to provide that the Ward boundary division for York Eglinton (Ward 28) be as shown on the attached Map 28-1b;”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Balkissoon, Bossons, Brown, Cho, Davis, Disero, Duguid, Faubert, Fotinos, Gardner, Giansante, Holyday, Kelly, Korwin-Kuczynski, Minnan-Wong, O’Brien, Ootes, Saundercook, Sgro, Shaw, Tzekas - 24.

Nays: Councillors: Augimeri, Berardinetti, Berger, Bussin, Chong, Chow, Fillion, Flint, Jakobek, Johnston, Jones, Kinahan, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Shiner, Silva, Walker - 31.

Decided in the negative by a majority of 7.

At this point in the proceedings, Councillor Chow requested the permission of Council to withdraw Part (1) of her foregoing motion (t), viz.:

“that:

- (1) the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that outside legal counsel be retained to represent the City of Toronto in a court application to determine Council’s right to enact a by-law creating single-member Wards and to change the overall size of Council’s membership.’”

the vote upon which was taken as follows:

Yeas: Councillors: Ashton, Balkissoon, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Faubert, Filion, Flint, Fotinos, Gardner, Giansante, Johnston, Kelly, Kinahan, King, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shiner, Walker - 37.

Nays: Councillors: Adams, Altobello, Augimeri, Berardinetti, Brown, Duguid, Jakobek, Jones, Korwin-Kuczynski, Mahood, Mammoliti, McConnell, Pitfield, Sgro, Shaw, Silva, Tzekas - 17.

Decided in the affirmative by a majority of 20.

Upon the question of the adoption of the foregoing motion (s) by Councillor Pantalone, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the report dated December 3, 1998, from the City Solicitor, entitled ‘Legal Representation at an Application to Determine Authority to Change the Size and Composition of City Council’, be adopted.’ ”

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Gardner, Giansante, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, O’Brien,

Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas - 46.

Nays: Councillors: Bussin, Davis, Jakobek, Lindsay Luby, Miller, Moscoe, Nunziata, Prue, Walker - 9.

Decided in the affirmative by a majority of 37.

Upon the question of the adoption of Part (2) of the foregoing motion (l) by Councillor Davis, viz.:

“that the foregoing Clause be amended:

(2) by adding thereto the following:

‘It is further recommended that the Commissioner of Urban Planning and Development Services, in consultation with the City Clerk, be requested to submit a report to the Urban Environment and Development Committee on the long-term process for Ward distribution with a ten-year horizon.’ ”,

it was carried.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared Part (2) of the foregoing motion (p) by Councillor Disero, and Part (2) of the foregoing motion (t) by Councillor Chow, redundant.

Upon the question of the adoption of Part (2) of the foregoing motion (i) by Councillor Korwin-Kuczynski, viz.:

“that the foregoing Clause be amended:

(2) by adding thereto the following:

‘It is further recommended that Council express its appreciation to staff of the City Clerk and other appropriate City staff for the exemplary work they have done on the Ward boundaries project.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc,

Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 55.

Nay: Nil.

Decided in the affirmative, without dissent.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended:

(1) to provide that:

- (a) the Ward boundary division for Lakeshore - Queensway (Ward 2) be Highway 427, south to the Queen Elizabeth Way, east to Royal York Road, and south to Lake Ontario, as shown on the attached revised map;
- (b) the southerly Ward boundary division for Seneca Heights (Ward 12) be Highway 401, between Bayview Avenue and Leslie Street, as shown on the attached revised map;
- (c) the Ward boundary division for Davenport (Ward 21) follow the CP Rail Line, east to Ossington Avenue, north on Ossington Avenue to Davenport Road, and east on Davenport Road to Christie Street, as shown on the attached revised map;
- (d) the Ward boundary division for Midtown (Ward 23) follow the Vale of Avoca Ravine to the southerly boundary of the Mount Pleasant Cemetery, as shown on the attached revised map; and
- (e) as a result of the decision of the North York Community Council which was made subsequent to the York Community Council deliberations on this matter, the Ward boundary division for York Humber (Ward 27) be revised to follow Black Creek to Eglinton Avenue, east to the CN Rail Line, as shown on the attached revised map; and

(2) by adding thereto the following:

‘It is further recommended that:

- (a) the City Solicitor be authorized to represent the City in the court application to determine Council’s right to enact a by-law creating

single member Wards and changing the overall size of its membership;

- (b) the Commissioner of Urban Planning and Development Services, in consultation with the City Clerk, be requested to submit a report to the Urban Environment and Development Committee on the long-term process for Ward distribution with a ten-year horizon; and
- (c) Council express its appreciation to staff of the City Clerk and other appropriate City staff for the exemplary work they have done on the Ward boundaries project.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Ashton, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Duguid, Filion, Gardner, Giansante, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shiner, Silva, Tzekas - 38.

Nays: Councillors: Altobello, Augimeri, Balkissoon, Bussin, Davis, Disero, Faubert, Flint, Fotinos, Johnston, Layton, Miller, Minnan-Wong, Moscoe, Prue, Shaw, Walker - 17.

Decided in the affirmative by a majority of 21.

2086 At this point in the proceedings, Councillor Disero, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 3 of Report No. 16 of The Toronto Community Council, headed “Extension of Permit Parking Hours - Westport Avenue, Between Old Weston Road and Davenport Road (Davenport)”, be re-opened for further consideration, which was carried, more than two-thirds of Members present having voted in the affirmative.

Clause No. 3 of Report No. 16 of The Toronto Community Council, headed “Extension of Permit Parking Hours - Westport Avenue, Between Old Weston Road and Davenport Road (Davenport)”.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Disero, in amendment, moved that the foregoing Clause be amended to provide that the extended permit parking hours also apply to Old Weston Road, between Davenport Road and Westport Avenue, and that authority be granted for the introduction of any necessary bills in Council to give effect thereto.

Upon the question of the adoption of the foregoing motion by Councillor Disero, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2087 **Clause No. 1 of Report No. 19 of The Corporate Services Committee, headed “Urban Planning and Development Services Integrated Business Management System (IBMS) Request for Proposals P-09-98.RFP”.**

Council also had before it, during consideration of the foregoing Clause, the following communications and joint report:

- (i) (December 9, 1998) from Mr. David L. Dueck, President, Tri-Net Solutions Canada Limited requesting that Council defer its decision with respect to Urban Planning and Development Services Integrated Business Management System (IBMS) - Request for Proposals P-09-98.RFP;
- (ii) (December 11, 1998) from the Commissioner of Urban Planning and Development Services and the Chief Financial Officer and Treasurer reporting, as requested, on:
 - (1) the innovative solution that they have taken with respect to the course upon which they have embarked, and providing a comparison of the selection process involving FIS (Financial Information Systems) and HRIS (Human Resource Information Systems); and
 - (2) the reasons why Tri-Net was rejected; and
- (iii) (December 14, 1998) from Mr. Richard Lyall, General Manager, Metropolitan Toronto Apartment Builders Association regarding the Urban Planning and Development Services, Integrated Business Management System (IBMS) and requesting that Council consider this matter further before making its decision.

Council also had before it, during consideration of the foregoing Clause, a confidential communication (December 4, 1998) from Ms. Sheryl Teed, Ernst & Young, such communication to remain confidential in accordance with the provisions of the Municipal Act.

Having regard that the foregoing Clause was submitted without recommendation, Councillor Adams moved that Council adopt the following recommendation:

“It is recommended that the joint report dated December 11, 1998, from the Commissioner of Urban Planning and Development Services and the Chief Financial Officer and Treasurer, embodying the following recommendations, be adopted:

‘It is recommended that City Council:

- (1) receive this report for information;
- (2) grant authority to the Commissioner of Urban Planning and Development Services and appropriate City staff to negotiate and enter into a contract with CSDC Systems Inc., being the proponent submitting the proposal with the highest evaluated score, for the supply, installation, maintenance and support of an Integrated Business Management System as recommended in the report submitted to the Corporate Services Committee on December 7, 1998. The cost of the negotiated contract is not to exceed the total budget allocation of \$4,846,000.00; and
- (3) authorize the appropriate officials to take the necessary actions to give effect thereto.’ ”

Upon the question of the adoption of the foregoing motion by Councillor Adams, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2088 **Clause No. 8 of Report No. 12 of The Community and Neighbourhood Services Committee, headed “Children and Youth Action Committee - Changes to Membership and Quorum”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Chow, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the following revisions to the membership of the Children and Youth Action Committee be approved:

- (1) Additional Members:
 - Ms. Marg Cox;
 - Ms. Maria deWit, as a replacement for Mr. Spyros Volonakis (Child Care Advisory Committee); and
 - Ms. Kathryn Blackett, as a replacement for Ms. Valerie McDonald (People for Education);
- (2) Alternate Members:
 - Mr. Spyros Volonakis, as an alternate for Ms. Maria de Wit;
 - Ms. Jasmin Earle, as an alternate for Ms. Marg Cox;
 - Ms. Miriam Ben-Simon, as an alternate for Ms. Clara Will;

- Mr. Dan Clement, as an alternate for Ms. Collette Murphy (United Way);
- Ms. Gay Young and Ms. Diane Dyson, as alternates for Ms. Kathryn Blackett; and
- Ms. Karen Lieberman and Ms. Ellen Ostofsky, as alternates for Mr. Peter Clutterbuck (Social Planning Council of Toronto); and

(3) Deletions from Membership:

- Ms. Valerie McDonald;
- Mr. Wade Hillier; and
- Mr. Rod MacRae.”

Upon the question of the adoption of the foregoing motion by Councillor Chow, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2089 **Clause No. 4 of Report No. 12 of The Community and Neighbourhood Services Committee, headed “Reform of Social Housing Program - Final Report of the Social Housing Committee”.**

Council also had before it, during consideration of the foregoing Clause, a communication (December 15, 1998) from Ms. Ann Fitzpatrick, Community Worker, Public Housing Fightback Campaign, on behalf of a coalition of public housing tenants and community-based agencies which work with tenants who live in MTHA, submitting comments in opposition to the Social Housing Committee Report.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Layton, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community and Neighbourhood Services Committee on the concerns and issues raised in the communication dated December 15, 1998, from Ms. Ann Fitzpatrick, Community Worker, Public Housing Fightback Campaign.”

Upon the question of the adoption of the foregoing motion by Councillor Layton, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2090 **Clause No. 4 of Report No. 7 of The Economic Development Committee, headed “Funding Strategy for the 1999 Caribana Festival”.**

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 2091 At this point in the proceedings, Councillor Bossons requested that her opposition to Clause No. 9 of Report No. 12 of The Community and Neighbourhood Services Committee, headed “Children and Youth Action Committee - Request for Funds for Toronto Public Library Initiative”, be noted in the Minutes of this meeting.

Council took no action on the foregoing request.

- 2092 At this point in the proceedings, Deputy Mayor Ootes proposed that Council now proceed through Report No. 26 of The Strategic Policies and Priorities Committee, with Members of Council indicating those Clauses, by number, on which they wish to speak; that Council then proceed with the adoption of the remaining Clauses; and that Council then give further consideration to those Clauses which have been held at the request of Members of Council, not necessarily in the order they appear on the Agenda.

Council concurred in the foregoing proposal.

Upon the question of the adoption of Report No. 26 of The Strategic Policies and Priorities Committee (with the exception of Clauses Nos. 3, 8, 10, 11, 13, 24 and 28), without amendment, it was carried.

- 2093 Deputy Mayor Ootes called upon Notice of Motion (F) appearing on the Order Paper for this meeting of Council, as follows:

Moved by: Councillor Layton

Seconded by: Councillor Jones

“WHEREAS the Province of Ontario will shortly end its consultation regarding the issue of Ontario Hydro’s Stranded Debt; and

WHEREAS the Province’s decisions regarding the Stranded Debt issue will have significant implications on the ability of Toronto Hydro and the City of Toronto to offer and support renewable energy initiatives; and

WHEREAS the Commissioner of Works and Emergency Services reported to the Environmental Task Force on November 23, 1998 (attached); and

WHEREAS the Environmental Task Force at its November 23, 1998 meeting asked City Council to consider the attached recommendations;

NOW THEREFORE BE IT RESOLVED THAT City Council:

- (1) express its concern at the high stranded debt approach being adopted by the province, as this approach seriously compromises environmentally advantageous energy supply sources such as renewables;
- (2) advise the province that it favours the lowest possible estimate of 'stranded debt' to establish fairness and enable a more equal playing field for competition;
- (3) request the Legal Division to investigate actions taken by cities and consumer groups concerning high stranded debt approaches in the United States of America and report back to the Environmental Task Force; and
- (4) express its support for a Renewable Energy Portfolio Standard."

Council also had before it, during consideration of the foregoing Motion, a communication (November 24, 1998) from the City Clerk forwarding the recommendations of the Environmental Task Force pertaining to the report dated November 4, 1998, from the Executive Director, Technical Services, Works and Emergency Services. (See Attachment No. 2.)

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

- 2094 Councillor Pantalone moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(1), and that, in accordance with Section 46 of the Council Procedural By-law, that portion of Clause No. 3 of Report No. 8 of The Striking Committee, headed "1999 Schedule of Meetings", relating to the Urban Environment and Development Committee meeting scheduled to be held on Monday, March 22, 1999, be re-opened for further consideration, which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Pantalone

Seconded by: Councillor Ootes

"WHEREAS City Council at its meeting on November 25, 26 and 27, 1998, adopted, as amended, Clause No. 3 of Report No. 8 of The Striking Committee, headed '1999 Schedule of Meetings', and, by so doing, approved a meeting schedule for the first four months of 1999; and

WHEREAS the annual conference of the International Union of Local Authorities is scheduled to be held the week of March 22 - 26, 1999, which is a conference that a number of Councillors will be attending; and

WHEREAS the Urban Environment and Development Committee is scheduled to be held on Monday, March 22, 1999, and Councillor Pantalone, the Chair of such Committee, will be attending this conference;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, the portion of Clause No. 3 of Report No. 8 of The Striking Committee, headed '1999 Schedule of Meetings', relating to the Urban Environment and Development Committee meeting scheduled to be held on Monday, March 22, 1999, be re-opened and that said meeting be rescheduled to Wednesday, March 31, 1999."

Upon the question of the adoption of the balance of the foregoing Motion, without amendment, it was carried.

2095 Councillor Rae moved that, in accordance with subsection 27(3) of the Council Procedural By-law, Council now give consideration to the following Notice of Motion J(2), which was carried:

Moved by: Councillor Rae

Seconded by: Mayor Lastman

"WHEREAS City Council at its meeting held on November 25, 26 and 27, 1998, adopted, without amendment, Clause No. 16 of Report No. 17 of The Corporate Services Committee, headed 'Yonge Dundas Square - Proposed Municipal Code Amendment (Ward 24 - Downtown)', and, in so doing, requested the Commissioner of Urban Planning and Development Services to report directly to City Council at its meeting to be held on December 16, 1998, for appropriate authorizations to contract with the winning team selected from the design competition for Dundas Square; and

WHEREAS the Commissioner of Urban Planning and Development Services has submitted a report dated December 8, 1998, in response to this request;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with subsection 27(3) of the Council Procedural By-law, Council give consideration to the report dated December 8, 1998, from the Commissioner of Urban Planning and Development Services, and that such report be adopted."

Council also had before it, during consideration of the foregoing Motion, a report (December 8, 1998) from the Commissioner of Urban Planning and Development Services updating Council with respect to the design competition jury's selection of Brown and Storey Architects. (See Attachment No. 3.)

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried, and, in so doing, Council adopted the report dated December 8, 1998, from the Commissioner of Urban Planning and Development Services, embodying the following recommendations:

“It is recommended that:

- (1) the consulting team of Brown and Storey Architects be engaged for the purposes of providing design services for the development of Dundas Square as set out in this report, at an upset fee of \$250,000.00, including GST and disbursements; and
- (2) the appropriate City Officials be authorized to take whatever action is necessary to implement the foregoing, including the preparation of an agreement, satisfactory to the Commissioners of Corporate Services, Urban Planning and Development Services and the City Solicitor.”

2096 Councillor Fotinos moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(6), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Fotinos

Seconded by: Councillor Layton

“**WHEREAS** the Toronto water supply facilities will be improved significantly by a new Deep Lake Water Cooling intake for the Toronto Island Filtration Plant; and

WHEREAS the taste and odour complaints from Toronto water consumers will be mitigated by this intake; and

WHEREAS these new deep water intakes, that will be financed by the Toronto District Heating Corporation (TDHC), have the potential of saving the City \$100 million in activated carbon filtration; and

WHEREAS Deep Lake Water Cooling reduces electricity use by more than 75 percent for building cooling; and

WHEREAS the City of Toronto Smog Alert Response Plan includes Deep Lake Water Cooling as a key element to reduce pollutant emissions from electric power plants; and

WHEREAS Deep Lake Water Cooling, through the Toronto Island Filtration Plant, will reduce carbon dioxide emissions and the greenhouse effect by more than 30,000 tons per year helping to meet the City of Toronto 20 percent CO₂ reduction target; and

WHEREAS the execution of an agreement with TDHC was authorized and supported by the former Metropolitan Council and City of Toronto Council,

respectively, for the development of Deep Lake Water Cooling through the Island Filtration Plant; and

WHEREAS the City's commitment to its joint venture with TDHC on the Deep Lake Water Cooling initiative is still in force; and

WHEREAS based on the aforementioned authorization, an investment of \$25 million has been made to date in TDHC infrastructure for the development of Deep Lake Water Cooling; and

WHEREAS the City will benefit from this and all Deep Lake Water Cooling Infrastructure at no cost; and

WHEREAS it is in everybody's interest to see Deep Lake Water Cooling expanded to the maximum area possible in the new City of Toronto; and

WHEREAS this can be achieved if the ice cooling technology proposed by the Northwind consortium is used to provide for peak cooling;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto support the Northwind proposal if the intention is to use ice storage to supply supplementary peaking capacity to the Deep Lake Water Cooling system;

AND BE IT FURTHER RESOLVED THAT the City of Toronto direct Toronto Hydro to align its marketing activity to support Deep Lake Water Cooling as the cooling base load source in Toronto to be implemented as agreed with TDHC;

AND BE IT FURTHER RESOLVED THAT the City of Toronto direct Toronto Hydro to support the expeditious implementation of Deep Lake Water Cooling by TDHC, it being the most energy efficient and CO2 reducing technology for cooling, and, therefore, in the best interests of the building cooling customer and the environment."

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

2097 Councillor Mammoliti moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(7), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mammoliti

Seconded by: Councillor Sgro

“**WHEREAS** the City of Toronto has a Licence Agreement with Wilson Towers with respect to the Chalkfarm Community Centre; and

WHEREAS the Licence Agreement expires on December 31, 1998, and the option for renewal has been exercised; and

WHEREAS the Commissioner of Economic Development, Culture and Tourism has submitted a report dated December 14, 1998, entitled ‘Renewal of Licence Agreement with Jane-Wilson Towers - Chalkfarm Community Centre’, outlining the details of this Licence Agreement;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the report dated December 14, 1998, from the Commissioner of Economic Development, Culture and Tourism, and that such report be adopted.”

Council also had before it, during consideration of the foregoing Motion, a report (December 14, 1998) from the Commissioner, Economic Development, Culture and Tourism requesting approval of an extension of the licence agreement with Jane-Wilson Towers with respect to Chalkfarm Community Centre. (See Attachment No. 4.)

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried, and, in so doing, Council adopted the report dated December 14, 1998, from the Commissioner of Economic Development, Culture and Tourism, embodying the following recommendations:

“It is recommended that:

- (1) the current lease agreement between the City of Toronto and Jane-Wilson Towers, be extended for a period of 18 months (January 1, 1999 to July 1, 2000), subject to all existing terms and conditions; and
- (2) the General Manager of Parks and Recreation, the City Solicitor and the City Clerk, be authorized to carry out all things necessary to give effect thereto.”

2098 Councillor Shiner moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(8), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Shiner

Seconded by: Councillor Flint

“**WHEREAS** The Toronto Police Youth Bureau have investigated and charged a City of Toronto and YMCA Instructor/Lifeguard with sexual assault on a nine-year-old girl;

WHEREAS the individual has worked at various locations of City of Toronto Parks and Recreation facilities; and

WHEREAS the individual was convicted of sexual assault while employed by the former City of North York; and

WHEREAS the City was not informed of these convictions; and

WHEREAS City of Toronto Parks and Recreation staff often instruct first aid, swimming courses, baby-sitting and supervise other community programs; and

WHEREAS it is the City of Toronto's responsibility to safeguard the community by ensuring that no individuals working with children have been convicted of these types of crimes and that our citizens' safety is of utmost priority; and

WHEREAS the City of Toronto and the Toronto Police Department should co-ordinate efforts to ensure citizens are guaranteed a safe environment;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Economic Development, Culture and Tourism determine which staff of the Parks and Recreation Department should have security checks and request the Toronto Police Department to conduct these security checks immediately;

AND BE IT FURTHER RESOLVED THAT the Executive Director of Human Resources, in consultation with the Commissioner of Economic Development, Culture and Tourism, prepare a report for the Economic Development Committee recommending a policy regarding background security checks for all new employees and subsequent random checks for those staff holding positions involving contact with children and youth;

AND BE IT FURTHER RESOLVED THAT Toronto City Council request the Toronto Police Department to carry-out these checks immediately and, on a one-time basis, waive the \$5.00 fee for each staff security check.”

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

- 2099 Councillor Miller moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(9), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Mayor Lastman

Seconded by: Councillor Miller

“**WHEREAS** the Special Committee to Review the Final Report of the Toronto Transition Team (Special Committee) was scheduled to have its final meeting December 21, 1998, and report to Council at its February meeting; and

WHEREAS December 21, 1998, is an unsuitable date for a meeting; and

WHEREAS certain staff reports required for the meeting are not yet ready; and

WHEREAS it is unclear whether the Special Committee may meet in January, 1999;

NOW THEREFORE BE IT RESOLVED THAT the mandate of the Special Committee be extended, if necessary, to meet in January, 1999, and report to the February 1999 meeting of Council.”

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

- 2100 Councillor Pantalone moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(11), and that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 14 of Report No. 13 of the Corporate Services Committee, headed “Sale of City-Owned Property known Municipally as 23 Fraser Avenue (Ward 20 - Trinity Niagara)”, be re-opened for further consideration which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Pantalone

Seconded by: Councillor Silva

“**WHEREAS** Council at its meeting on October 1 and 2, 1998, considered Clause No. 14 of Report No. 13 of The Corporate Services Committee and the report (September 21, 1998) from the Commissioner of Corporate Services on the sale of the City-owned property at 23 Fraser Avenue; and

WHEREAS Council adopted the aforesaid Clause, as amended to include the recommendations contained in the report (September 21, 1998) from the Commissioner of Corporate Services, thereby approving acceptance of the Offer to Purchase from 1294539 Ontario Inc. to acquire this property at a price of \$1,200,000.00; and

WHEREAS 1294539 Ontario Inc. has requested an abatement of the purchase price and an extension of the due diligence period to January 15, 1999; and

WHEREAS the Commissioner of Corporate Services has prepared a report (December 16, 1998) relative to the aforesaid request;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 14 of Report No. 13 of the Corporate Services Committee, headed ‘Sale of City-Owned Property known Municipally as 23 Fraser Avenue (Ward 20 - Trinity Niagara)’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT City Council consider the report dated December 16, 1998, from the Commissioner of Corporate Services, respecting 23 Fraser Avenue, and that said report be adopted.”

Council also had before it, during consideration of the foregoing Motion, a report (December 16, 1998) from the Commissioner of Corporate Services advising City Council on the findings of the environmental assessment undertaken by the Purchaser’s consultant as part of its due diligence and the results of the ensuing discussions with the Purchaser, 1294539 Ontario Inc., on its request for an extension of the due diligence period and a reduction of the purchase price to reflect the environmental condition of the property. (See Attachment No. 5.)

Upon the question of the adoption of the balance of the foregoing Motion, without amendment, it was carried, and, in so doing, Council adopted the report dated December 16, 1998, from the Commissioner of Corporate Services, embodying the following recommendations:

“It is recommended that:

- (1) City Council reject the request from the Purchaser, 1294539 Ontario Inc., to extend the due diligence period to January 15, 1999, and to reduce the purchase price from \$1,200,000.00 to \$750,000.00, to allow for the cost of remediation as a result of the Purchaser’s due diligence investigation; and
- (2) if the Purchaser terminates the Agreement of Purchase and Sale pursuant to the right to do so prior to the expiry of the due diligence period, City Council direct the Commissioner of Corporate Services to have an environmental assessment of the property completed at the City’s own cost, and to have the existing broker, Torode Realty Ltd, re-market the property on an ‘as is’ basis.”

2101 Councillor Rae moved that, in accordance with subsection 28(2) of the Council Procedural By-law, Council now give consideration to the following Notice of Motion J(12), which was carried:

Moved by: Councillor Rae

Seconded by: Councillor Ashton

“**WHEREAS** the former City of Toronto has long supported Bill C-68; and

WHEREAS the former City of Toronto both obtained intervenor status at the Alberta Court of Appeal in support of Bill C-68 and financially assisted in that appeal; and

WHEREAS the people of the City of Toronto have strongly supported the intent of Bill C-68;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto join with the Coalition for Gun Control and others and seek intervenor status at the Supreme Court of Canada in the constitutional challenge being brought by the Government of Alberta to Canada's new gun control legislation."

Council also had before it, during consideration of the foregoing Motion, a communication (December 15, 1998) from Ms Wendy Cukier, Professor, Ryerson Polytechnic University and President, Coalition for Gun Control, advising that the former City of Toronto obtained intervenor status at the Alberta Court of Appeal in support of Canada's New Gun Control Law, Bill C-68; requesting that the new City of Toronto continue to participate as intervenor in the constitutional challenge being brought by the Government of Alberta as it relates to Bill C-68; and recommending an appropriate format for a motion should this be the preferred course of action by the new City of Toronto.

At this point in the proceedings, Councillor Layton, with the permission of Council, moved that, in accordance with subsection 37(e) of the Council Procedural By-law, the vote be now taken, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Bossons, Bussin, Cho, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Jakobek, Johnston, Jones, King, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Rae, Saundercook, Sgro, Shiner, Silva, Walker - 34.

Nays: Councillors: Faubert, Giansante, Moeser - 3.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the foregoing Motion, without amendment, the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Bossons, Brown, Bussin, Cho, Chow, Disero, Duguid, Filion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, King, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Walker - 37.

Nays: Councillors: Faubert, Gardner, Mammoliti - 3.

Decided in the affirmative by a majority of 34.

- 2102 Councillor Rae moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(13), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Mihevc

“**WHEREAS** City Council decided at its meeting of February 5, 1998, to approve the extension of same-sex benefits to all City of Toronto employees; and

WHEREAS on April 23, 1998, the Ontario Court of Appeal unanimously allowed the appeal in the case of Rosenberg & CUPE v. Canada and declared unconstitutional the definition of ‘spouse’ in the federal Income Tax Act which did not allow registered pension plans to provide benefits to lesbian and gay spouses; and

WHEREAS City Council requested at its meeting of June 3, 1998, that the federal government not appeal the Ontario Court of Appeal decision in the Rosenberg case; and

WHEREAS City Council decided at its meeting of June 3, 1998, that upon the expiry of the appeal period in the Rosenberg case City Council would:

- (a) amend all by-laws governing pension plans provided by the City of Toronto and its Agencies, Boards and Commissions to ensure equal access to survivor pension benefits by all employees of the City of Toronto, its Agencies, Boards and Commissions, particularly same-sex employees and their spouses; and
- (b) recommend to the Ontario Municipal Employees Retirement System (OMERS) Board to amend the statutes and regulations governing the OMERS pension plan to provide same-sex survivor benefits to the employees of the City of Toronto covered by this plan; and

WHEREAS the federal government did not appeal the Rosenberg decision; OMERS has been requested to amend its statutes and regulations; and staff are working to amend all relevant by-laws; and

WHEREAS the Ontario Court of Justice rendered a decision on December 8, 1998, in the case of OPSEU Pension Plan Fund v. Ontario which declared that the definition of ‘spouse’ under the Ontario Pensions Benefits Act discriminated against same-sex couples and contravened s.15 of the Charter of Rights and Freedoms;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council request that the Government of Ontario not appeal the OPSEU decision of December 8, 1998, and that they amend immediately the Ontario Pensions Benefit Act and related legislation to ensure that lesbian and gay pension plan members and their spouses are eligible for pension benefits in the Province of Ontario; and
- (2) City Council request OMERS to provide these benefits retroactively to City of Toronto employees.”

Council also had before it, during consideration of the foregoing Motion, a joint communication (December 10, 1998) from Ms. Cynthia Petersen and Mr. John Fisher, Ottawa, advising that OPSEU has displayed discriminatory practices against same sex partners; and further advising that Justice Rivard of the Ontario Court (General Division) ruled on December 8, 1998, that the definition of “spouse” in the Ontario Pension Benefits Act is discriminatory and unconstitutional as it excludes same sex partners.

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

- 2103 Councillor Disero moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(14), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Disero

Seconded by: Councillor Fotinos

“**WHEREAS** the applicant is proposing to erect four third party ground signs on the east side of the property; and

WHEREAS the proposed signs do not comply with Chapter 297, Signs, of the former City of Toronto Municipal Code and are the subject of a minor variance application;

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to the report dated December 15, 1998, from the Commissioner of Urban Planning and Development Services, and that Recommendations Nos. (1) and (2) of such report be adopted.”

Council also had before it, during consideration of the foregoing Motion, a report (December 15, 1998) report from the Commissioner of Urban Planning and Development Services, submitting recommendations respecting an application for variances to install three illuminated ground signs for third party advertising at 1 Weston Road. (See Attachment No. 6.)

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried, and, in so doing, Council adopted the report dated December 15, 1998, from the Commissioner of Urban Planning and Development Services, embodying the following recommendations:

“It is recommended that:

- (1) City Council approve Application No. 998087 respecting minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to install three illuminated ground signs for third party advertising on the east side of the property on condition that:
 - (a) the four existing third party ground signs be removed prior to the issuance of a sign permit for the new illuminated ground signs; and
 - (b) no other third party advertising signs be permitted on the property; and
- (2) the applicant be advised, upon approval of Application No. 998087, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.”

2014 Councillor Bussin moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(15), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Bussin

Seconded by: Councillor Jakobek

“**WHEREAS** the premises known as Riccardo’s (Ward 26 – East Toronto) has applied to the Licensing and Registration Department of the Alcohol and Gaming Commission of Ontario for a liquor sales licence for the premises at 2362 Danforth Avenue; and

WHEREAS Subsection 6(2)(h) of the Act provides that an applicant is entitled to be issued a licence to sell liquor except if the licence is not in the public interest having regard to the needs and wishes of the residents of the municipality in which the premises are located; and

WHEREAS Section 7.1 of Regulation 719 under the Act states that, in the absence of receiving submissions to the contrary, the Commission shall consider a resolution of the Council of the municipality, in which are located the premises for which a person holds a licence to sell liquor, as proof of the needs and wishes of the residents of a municipality for the purpose of Clause 6(2)(h) of the Act; and

WHEREAS I, as Ward Councillor, have received calls and letters expressing concerns with the application and its proposal to sell liquor and how it may impact negatively on the adjacent residential neighbourhood;

NOW THEREFORE BE IT RESOLVED THAT City Council advise the Licensing and Registration Department of the Alcohol and Gaming Commission of Ontario that the request for a liquor sales license for 2362 Danforth Avenue is not in the public interest, having regard to the needs and wishes of the residents for the municipality, and request the issuance of a proposal by the Alcohol and Gaming Commission of Ontario to refuse the application;

AND BE IT FURTHER RESOLVED THAT, if the Alcohol and Gaming Commission is inclined to support the application and issue the licence, a public interest hearing be conducted during evening hours at a location in the neighbourhood;

AND BE IT FURTHER RESOLVED THAT City Council request the City Solicitor to attend the public interest hearing and provide legal representation to oppose the application.”

Upon the question of the adoption of the foregoing Motion, without amendment, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Augimeri, Bossons, Brown, Bussin, Cho, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Sgro, Shaw, Silva, Walker - 37.

Nays: Councillors: Ashton, Balkissoon, Faubert, Saundercook, Shiner - 5.

Decided in the affirmative by a majority of 32.

- 2105 Councillor Sgro moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(17), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Sgro

Seconded by: Councillor Mammoliti

“WHEREAS the Committee of Adjustment on July 16, 1998, heard the application for 1465 Lawrence Avenue West requesting a variance from the Zoning By-law to permit the construction of 18 townhouse units along the southwest portions of the property; and

WHEREAS the Committee of Adjustment refused the application as not being minor, is not within the general intent of the Zoning By-law, is not an appropriate development of the property and is not in keeping with the character of the neighbourhood; and

WHEREAS the applicant has appealed the decision of the Committee of Adjustment to the Ontario Municipal Board; and

WHEREAS there is an urgency on the part of City Council to respond quickly because the Ontario Municipal Board hearing date has been set for January 14, 1999; and

WHEREAS the proposed development is immediately adjacent to another high rise building that would be impacted by the proposed infill development constituting an over development of the site; and

WHEREAS the majority of the residents who live in the high rise building adjacent to the proposed development are in opposition to this proposal based on the fact that the proposed development will constitute an over development and cause further traffic congestion on site; and

WHEREAS, in accordance with Council’s request, the Chief Financial Officer and Treasurer has advised the Clerk that the required funds can be provided from the Corporate Contingency Account;

NOW THEREFORE BE IT RESOLVED THAT City Council:

- (1) instruct the City Solicitor to attend the Ontario Municipal Board hearing on January 14, 1999, to uphold the decision of the Committee of Adjustment of July 16, 1998, regarding 1465 Lawrence Avenue West;

- (2) authorize the City Solicitor to retain professional staff as deemed necessary externally for this Ontario Municipal Board Hearing; and
- (3) authorize an expenditure of up to a maximum of \$10,000.00 from a Corporate Contingency Account to retain outside professional staff.”

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

- 2106 Councillor Sgro moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(18), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Sgro

Seconded by: Councillor Mammoliti

“**WHEREAS** the Committee of Adjustment on September 3, 1998, heard the application for 5 Queenslea Avenue requesting a variance from the Zoning By-law for a student residence in association with the proposed school, where a nurses’ residence in association with a school of nursing is permitted; and

WHEREAS the Committee of Adjustment refused the application as not being minor, not within the general intent of the Zoning By-law and not being an appropriate development of the property; and

WHEREAS the applicant has appealed the decision of the Committee of Adjustment to the Ontario Municipal Board; and

WHEREAS there is an urgency on the part of City Council to respond quickly because the Ontario Municipal Board Hearing date has been set for January 4, 1999; and

WHEREAS the Committee of Adjustment recognized that when the building was built in the mid-1960s, it was built for the primary purpose of a nursing school and residence administered by the then Humber Memorial Hospital; and

WHEREAS when Humber College took possession of the 5 Queenslea Avenue property as a student residence and nursing school, the community began experiencing problems with continuous loud student parties; and

WHEREAS Rampart Construction purchased the property, in 1990, for the purpose of converting the building to a senior’s residence; and

WHEREAS, due to the change in market conditions, Rampart Construction lost this property when they declared bankruptcy; and

WHEREAS the 5 Queenslea Avenue property has been vacant and boarded up, from 1990 to 1997, when the present owner purchased this property to continue using it for 'school' purposes; and

WHEREAS the surrounding community is concerned with what other uses the 'residence' portion of this building could be converted to if the 'school' does not work out; and

WHEREAS, in accordance with Council's request, the Chief Financial Officer and Treasurer has advised the Clerk that the required funds can be provided from the Corporate Contingency Account;

NOW THEREFORE BE IT RESOLVED THAT City Council:

- (1) instruct the City Solicitor to attend the Ontario Municipal Board hearing on January 4, 1999, to uphold the decision of the Committee of Adjustment of September 3, 1998, regarding 5 Queenslea Avenue;
- (2) authorize the City Solicitor to retain professional staff as deemed necessary externally for this Ontario Municipal Board Hearing; and
- (3) authorize an expenditure of up to a maximum of \$10,000.00 from a Corporate Contingency Account to retain outside professional staff."

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

2107 Councillor Flint moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(19), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Flint

Seconded by: Councillor Berger

“WHEREAS Council has received an application to re-zone certain lands municipally known as 22 Old York Mills Road; and

WHEREAS Section 34(17) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, provides that where a change is made in a proposed by-law after the holding of the public meeting, the Council shall determine whether any further notice is to be given in respect of the proposed by-law; and

WHEREAS minor changes have been made to the proposed Zoning By-law after the holding of the public meeting;

NOW THEREFORE BE IT RESOLVED THAT Council determine that no further notice is to be given in respect of the proposed by-law.”

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

- 2108 Councillor Flint moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(20), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Flint

Seconded by: Councillor Berger

“**WHEREAS** Council has received an application to re-zone certain lands municipally known as 4021 Yonge Street; and

WHEREAS Section 34(17) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, provides that where a change is made in a proposed by-law after the holding of the public meeting, the Council shall determine whether any further notice is to be given in respect of the proposed by-law; and

WHEREAS minor changes have been made to the proposed zoning by-law after the holding of the public meeting;

NOW THEREFORE BE IT RESOLVED THAT Council determine that no further notice is to be given in respect of the proposed by-law.”

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried..

- 2109 Councillor McConnell moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(25), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor McConnell

Seconded by: Mayor Lastman and all Members of Council

“**WHEREAS** they have without a word of complaint corrected what most people would quite rightly consider rambling run on and for all intents and purposes virtually unpunctuated sentences while continuing to perform their many other duties which are demanding in and of themselves; and

WHEREAS they repaired, fixed, altered and ameliorated the many repetitive, tautological and redundant motions by Councillors; and

WHEREAS they render coherent the confused, sometimes senseless ramblings of Councillors who know that they want to say something but, well, haven’t exactly worked out precisely the way that they would like to express what they mean regarding exactly what they were thinking just a few minutes ago but were, well, trying to, well, I think we all know what I mean; and

WHEREAS they arrive before the bells ring and never leave before the last vote;

NOW THEREFORE BE IT RESOLVED THAT the Council express its deepest gratitude to the Clerk, Committee Secretaries and all the women and men of the Clerk’s Department for their kind, cordial and tolerant service over this very long year.”

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried unanimously.

Council rose and gave a standing ovation to the staff of the City Clerk for their diligent and patient assistance to Council during 1998.

- 2110 **Clause No. 1 of Report No. 14 of The Emergency and Protective Services Committee, headed “Application for Relocation of the Delta Mayfair Bingo Hall from 525 Wilson Avenue (Ward 8) to 1860 Wilson Avenue (Ward 6)”.**

Council also had before it, during consideration of the foregoing Clause, a communication (December 11, 1998) from Ms. Mary Wilton, Executive Director, Ontario Water Polo Association with respect to an application for relocation of the Delta Mayfair Bingo Hall from 525 Wilson Avenue (Ward 8) to 1860 Wilson Avenue (Ward 6).

Council also had before it, during consideration of the foregoing Clause, the following communications with respect to an application for relocation of the Delta Mayfair Bingo Hall from 525 Wilson Avenue (Ward 8) to 1860 Wilson Avenue (Ward 6):

- (i) (December 5, 1998) from Mr. Jeff Phillips, Sexton, Congregation Shaarei Tzedek;
- (ii) (December 14, 1998) from Mr. Chris Foster, Executive Director, St. Alban's Boys' and Girls' Club; and
- (iii) petition submitted by various charities operating bingo at Delta/Mayfair Bingo.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Mammoliti, in amendment, moved that:

- (1) Council adopt Recommendation No. (2) of the Emergency and Protective Services Committee; and
- (2) consideration of the balance of the foregoing Clause be deferred to the regular meeting of Council to be held on March 2, 3 and 4, 1999.

Upon the question of the adoption of Part (2) of the foregoing motion by Councillor Mammoliti, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Augimeri, Balkissoon, Berger, Bossons, Brown, Cho, Chow, Duguid, Filion, Flint, Holyday, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Prue, Sgro, Shaw, Shiner, Walker - 29.

Nays: Councillors: Ashton, Bussin, Chong, Disero, Faubert, Fotinos, Gardner, Giansante, Jones, King, Lindsay Luby - 11.

Decided in the affirmative by a majority of 18.

Upon the question of the adoption of Part (1) of the foregoing motion by Councillor Mammoliti, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Ashton, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Holyday, Jones, King, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Prue, Sgro, Shaw, Shiner, Walker - 38.

Nays: Councillors: Faubert, Giansante, Lindsay Luby - 3.

Decided in the affirmative by a majority of 35.

- 2111 At the request of Council, the City Clerk called the Roll at 3:49 p.m., those Members present at the call of the Roll being:

Councillors: Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Giansante, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pitfield, Prue, Sgro, Silva, Walker - 34.

- 2112 **Clause No. 1 of Report No. 15 of The Toronto Community Council, headed “Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 40 Bay Street (Downtown)”.**

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Layton, in amendment, moved that the foregoing Clause be amended by:

- (1) deleting Recommendation No. (2)(i) of the Toronto Community Council; and
- (2) adding thereto the following:

“It is further recommended that the Commissioner of Urban Planning and Development Services, in consultation with the Astronomy Department of the University of Toronto, be requested to submit a report to the Urban Environment and Development Committee on the impact the search lights would have on the ability of people to view the skies at night.”

- (b) Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Urban Planning and Development Services be requested to review the impact of the installation of search lights on the Air Canada Centre after they have been in place for one year, and submit a report thereon to the Urban Environment and Development Committee.”

At this point in the proceedings, Councillor Layton, with the permission of Council, withdrew Part (2) of his foregoing motion (a).

Upon the question of the adoption of Part (1) of the foregoing motion (a) by Councillor Layton, the vote was taken as follows:

Yeas: Councillors: Augimeri, Bossons, Bussin, Chow, Faubert, Filion, Jones, Layton, Lindsay Luby, Mihevc, Miller, Moscoe, Ootes, Pitfield, Prue, Sgro, Walker - 17.

Nays: Councillors: Ashton, Balkissoon, Berardinetti, Berger, Brown, Disero, Duguid, Fotinos, Giansante, Holyday, Jakobek, Kelly, Korwin-Kuczynski, Mahood, Minnan-Wong, Moeser, Silva - 17.

Decided in the negative, there being an equality of votes.

Upon the question of the adoption of the foregoing motion (b) by Councillor Korwin-Kuczynski, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Disero, Duguid, Faubert, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Mahood, Moeser, Nunziata, Ootes, Sgro, Silva - 21.

Nays: Councillors: Augimeri, Bossons, Bussin, Chow, Filion, Fotinos, Johnston, Jones, Layton, Lindsay Luby, Mihevc, Miller, Moscoe, Pitfield, Prue, Walker - 16.

Decided in the affirmative by a majority of 5.

2113 At this point in the proceedings, Councillor Mahood moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement to adjourn this meeting of Council at 10:00 p.m. this evening, and that Council reconvene at 9:30 a.m. on Friday, December 18, 1998, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Ashton, Balkissoon, Berardinetti, Bossons, Bussin, Chong, Duguid, Filion, Flint, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Miller, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Silva - 28.

Nays: Councillors: Altobello, Augimeri, Brown, Chow, Disero, Faubert, Fotinos, Johnston, Jones, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Moscoe, Prue, Sgro, Tzekas, Walker - 19.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

2114 **Clause No. 3 of Report No. 15 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Governance Structure for Heritage Services”.**

Council also had before it, during consideration of the foregoing Clause, the following communications respecting the current proposals for the governance structure for heritage services in Toronto:

- (i) (December 15, 1998) from Mr. Joe Gill, Chair, The Friends of Fort York and Garrison Common;
- (ii) (December 16, 1998) executive summary, entitled, Heritage Governance: Empowering Citizens - The Enterprise Model, submitting amendments to the ‘Miller Committee’ recommendations, submitted by Councillor John Adams, Midtown;
- (iii) (December 14, 1998) from Mr. William L. Archer; and
- (iv) (December 15, 1998) from Dr. Marion Joppe, Chair, Heritage Toronto.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Prue, in amendment, moved that the foregoing Clause be amended by:
 - (1) amending Recommendation (A) of the Special Committee to Review the Final Report of the Toronto Transition Team by:
 - (a) deleting Recommendation No. (i)(9) and inserting in lieu thereof the following:

“(9) Heritage staff employed in delivering and supporting museum services shall be City of Toronto employees and shall be managed and directed by museum management boards;”;
 - (b) deleting Recommendation No. (i)(10) and renumbering the subsequent recommendations accordingly; and
 - (c) deleting Recommendation No. (i)(12) and inserting in lieu thereof the following:

“(12) Council recognize the importance of obtaining financial support from the private sector. Consequently, an arms-length foundation or other body be established by the new Heritage Toronto to promote public awareness of Toronto’s heritage and to solicit charitable donations, in a manner which conforms with the requirements of Revenue Canada;”;
 - (2) adding thereto the following:

“It is further recommended that the Chief Administrative Officer, in partnership and consultation with citizens, the Chairs of the Local Architectural Conservation Advisory Committees (LACACs), Museum Boards of Management, the Toronto Historical Association, Members of Council, and other interested parties, be requested to:

- (a) develop a plan to determine the future composition of Heritage Toronto, in order that it may carry out its new mandate; and
 - (b) submit a report thereon through the appropriate Committee, for consideration by Council at its regular meeting to be held on March 2, 3 and 4, 1999.”
- (b) Councillor Miller, in amendment, moved that the foregoing Clause be amended to provide that:
- (1) that the relative roles of the Commissioner of Economic Development, Culture and Tourism and the Museum Management Boards, with respect to staffing, be further elaborated as part of the consultation process; and
 - (2) the issue of the names of the various entities be referred as part of the consultation process.
- (c) Councillor Adams, in amendment, moved that the foregoing motion (a) by Councillor Prue be amended by adding thereto the following:
- “Recommendation (A) of the Special Committee to Review the Final Report of the Toronto Transition Team be amended by deleting the preamble and inserting in lieu thereof the following:
- “(A) Whereas Toronto City Council endorses the principle that the City’s heritage resources and programs be delivered and managed through a structure of management boards comprised of community organizations and citizens, as described in Mr. Richard Schofield’s presentation concerning heritage structure (cited as ‘Model 3H’) to the Special Committee to Review the Final Report of the Toronto Transition Team on December 4, 1998;
- Therefore, it is recommended that the resolution of the Special Committee to Review the Final Report of the Toronto Transition Team be approved by Council with the following amendments:”.
- (d) Councillor Pantalone, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism and the City Solicitor, in consultation with the Chairs of the Friends of Fort York and Heritage Toronto, be requested to develop a mechanism to permit the heritage museums known as Fort York and the Pier, to be governed in a fashion that is sufficiently arms-length from the City of Toronto, in order to permit successful fundraising campaigns and effective enterprise management, while ensuring that the City of Toronto’s mandate for these museums is adhered to and the public’s interests in heritage are protected and enhanced, and submit a report thereon to Council through the appropriate Committee.”

- (e) Councillor Jones, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that, in the event that the foregoing motion (a) by Councillor Prue does not carry, Montgomery Inn be permitted to operate on an arms-length basis with a Board of Management.”

- (f) Councillor Johnston, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that, in the event that the foregoing motion (a) by Councillor Prue does not carry, the City of Toronto Museums be treated in the same way as they always had been in the former area municipalities.”

- (g) Councillor Pitfield, in amendment, moved that Part (1)(a) of the foregoing motion (a) by Councillor Prue be amended by deleting the words “museum management boards” and inserting in lieu thereof the words “museum advisory boards”.

Upon the question of the adoption of the foregoing motion (c) by Councillor Adams, it was carried.

Upon the question of the adoption of the foregoing motion (g) by Councillor Pitfield, the vote was taken as follows:

Yeas: Councillors: Ashton, Balkissoon, Brown, King, Li Preti, Ootes, Sgro, Tzekas - 8.

Nays: Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Berardinetti, Bossons, Bussin, Chow, Duguid, Faubert, Filion, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Walker - 33.

Decided in the negative by a majority of 25.

Upon the question of the adoption of Part (1) of the foregoing motion (b) by Councillor Miller, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Ashton, Balkissoon, Bossons, Brown, Bussin, Chong, Duguid, Faubert, Flint, Giansante, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Tzekas - 34.

Nays: Councillors: Adams, Berardinetti, Chow, Disero, Filion, Fotinos, Holyday, Jakobek, Johnston, Mahood, McConnell, Sgro, Silva, Walker - 14.

Decided in the affirmative by a majority of 20.

Upon the question of the adoption of Part (1)(a) of the foregoing motion (a) by Councillor Prue, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Berardinetti, Bossons, Bussin, Chow, Disero, Duguid, Faubert, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Silva, Tzekas, Walker - 34.

Nays: Mayor: Lastman.
Councillors: Ashton, Balkissoon, Brown, Chong, Flint, Kelly, King, Mahood, Ootes, Pitfield, Saundercook, Sgro, Shiner - 14.

Decided in the affirmative by a majority of 20.

Upon the question of the adoption of Part (1)(b) of the foregoing motion (a) by Councillor Prue, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Ashton, Balkissoon, Berardinetti, Bossons, Bussin, Chow, Disero, Duguid, Faubert, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Tzekas, Walker - 40.

Nays: Councillors: Altobello, Brown, Chong, Flint, Kelly, King, Moscoe, Sgro - 8.

Decided in the affirmative by a majority of 32.

Upon the question of the adoption of Part (1)(c) of the foregoing motion (a) by Councillor Prue, it was carried.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared the foregoing motions (e) and (f), by Councillors Jones and Johnston, respectively, redundant.

Upon the question of the adoption of Part (2) of the foregoing motion (b) by Councillor Miller, it was carried.

Upon the question of the adoption of Part (2) of the foregoing motion (a) by Councillor Prue, it was carried.

At this point in the proceedings, Councillor Pantalone, with the permission of Council, withdrew his foregoing motion (d).

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended by:

(1) amending Recommendation (A) of the Special Committee to Review the Final Report of the Toronto Transition Team:

(a) by deleting the preamble and inserting in lieu thereof the following:

‘(A) Whereas Toronto City Council endorses the principle that the City’s heritage resources and programs be delivered and managed through a structure of management boards comprised of community organizations and citizens, as described in Mr. Richard Schofield’s presentation concerning heritage structure (cited as ‘Model 3H’) to the Special Committee to Review the Final Report of the Toronto Transition Team on December 4, 1998;

Therefore, it is recommended that the resolution of the Special Committee to Review the Final Report of the Toronto Transition Team be approved by Council with the following amendments:’;

(b) by deleting Recommendation No. (i)(9) and inserting in lieu thereof the following:

‘(9) Heritage staff employed in delivering and supporting museum services shall be City of Toronto employees and shall be managed and directed by museum management boards;’;

- (c) by deleting Recommendation No. (i)(10) and renumbering the subsequent recommendations accordingly;
- (d) by deleting Recommendation No. (i)(12) and inserting in lieu thereof the following:
 - '(12) Council recognize the importance of obtaining financial support from the private sector. Consequently, an arms-length foundation or other body be established by the new Heritage Toronto to promote public awareness of Toronto's heritage and to solicit charitable donations, in a manner which conforms with the requirements of Revenue Canada;'
- (e) to provide that the relative roles of the Commissioner of Economic Development, Culture and Tourism and the Museum Management Boards, with respect to staffing, be further elaborated as part of the consultation process; and
- (f) to provide that the issue of the names of the various entities be referred as part of the consultation process; and

(2) adding thereto the following:

'It is further recommended that the Chief Administrative Officer, in partnership and consultation with citizens, the Chairs of the Local Architectural Conservation Advisory Committees (LACACs), Museum Boards of Management, the Toronto Historical Board, Members of Council, and other interested parties, be requested to:

- (a) develop a plan to determine the future composition of Heritage Toronto, in order that it may carry out its new mandate; and
- (b) submit a report thereon through the appropriate Committee, for consideration by Council at its regular meeting to be held on March 2, 3 and 4, 1999.' "

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Chong, Chow, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Tzekas, Walker - 43.

Nays: Councillors: Ashton, Brown, Kelly, Mahood, Pitfield, Sgro - 6.

Decided in the affirmative by a majority of 37.

- 2115 At this point in the proceedings, Councillor Chow moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the two-hour dinner recess from 6:00 p.m. to 8:00 p.m., and that Council now recess and reconvene in approximately one hour, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Brown, Bussin, Chow, Duguid, Filion, Giansante, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Moeser, Ootes, Pitfield, Shiner, Silva, Tzekas - 26.

Nays: Councillors: Augimeri, Berger, Chong, Disero, Faubert, Flint, Fotinos, Holyday, Jakobek, Johnston, Kinahan, King, Miller, Moscoe, Nunziata, O'Brien, Pantalone, Rae, Saundercook, Sgro, Walker - 21.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

- 2116 At this point in the proceedings, Councillor Jakobek moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the two-hour dinner recess from 6:00 p.m. to 8:00 p.m., and that Council recess for approximately 30 minutes at such time as the refreshments are available, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Berger, Brown, Bussin, Chong, Disero, Duguid, Faubert, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Saundercook, Sgro, Silva - 32.

Nays: Councillors: Ashton, Balkissoon, Berardinetti, Chow, Filion, Kelly, Layton, Shiner, Tzekas, Walker - 10.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

- 2117 **Clause No. 6 of Report No. 14 of The Urban Environment and Development Committee, headed "Scarborough Group Home Zoning By-law No. 25225 and Appeals to the Ontario Municipal Board by the Former Municipality of Metropolitan Toronto, the Catholic Children's Aid Society, and the St. Leonard's Society of Metropolitan Toronto (All Wards)".**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Chow, in amendment, moved that consideration of the foregoing Clause be deferred to the next regular meeting of City Council to be held on February 2, 3 and 4, 1999.

Upon the question of the adoption of the foregoing motion by Councillor Chow, it was carried.

- 2118 **Clause No. 1 of Report No. 25 of The Strategic Policies and Priorities Committee, headed "Tenant Tax Notification".**

Council also had before it, during consideration of the foregoing Clause, a communication (December 11, 1998) from Ms. Janet Mason, Assistant Deputy Minister, Ministry of Municipal Affairs and Housing advising that the requirement for municipalities to issue rent reduction notices by the December 15, 1998 deadline prescribed by regulation under the Tenant Protection Act may be impacted by the proposed Fairness For Property Taxpayers Act, 1998, (Bill 79).

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Adams, in amendment, moved that the foregoing Clause be amended by striking out the recommendations of the Strategic Policies and Priorities Committee and inserting in lieu thereof the following recommendations embodied in the report dated November 4, 1998, addressed to the Budget Committee from the Chief Financial Officer and Treasurer, as embodied in the Clause:

"It is recommended that:

- (1) Council approve the process for sending notices of 1998 property tax changes to all tenants as outlined in this report;
- (2) funds in the amount of \$453,400.00 be provided from Corporate Contingency;

-
- (3) funds in the amount of \$453,400.00 be allocated for the increased level of service for annual tenant notification of tax changes and included in the Finance Department's 1999 Operating Budget if Council wishes to continue this extent of notification in 1999 and future years; and
- (4) the appropriate civic officials be authorized and directed to take whatever actions are necessary to give effect to the foregoing."
- (b) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

"It is further recommended that:

- (1) Members of Council be provided with a list of buildings within their Wards, in which tenants will be entitled to a rent decrease, and a calculation of the decrease as it applies to each property; and
- (2) this notification program be provided on an ongoing basis, but that it be reviewed after the first year and adjusted as required."
- (c) Councillor McConnell, in amendment, moved that:

- (1) the foregoing Clause be amended by adding thereto the following:

"It is further recommended that:

- (a) the total taxation for the current and previous years also be included in the notification to taxpayers; and
- (b) Members of Council be informed immediately of all successful taxation appeals of multi-residential properties within their Wards."; and
- (2) in the event that the foregoing motion (a) by Councillor Adams does not carry, the foregoing Clause be amended by adding to Recommendation No. (1) of the Strategic Policies and Priorities Committee, the following Group "B":

"Group B - Discretionary Notices of Tax Decreases <2.49 percent

(3) Discretionary - Multi-Residential	\$120,475.00
(4) Discretionary - Residential	<u>12,556.00</u>

Total: \$133,031.00"

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minutes Nos. 2121 and 2124.)

At this point in the proceedings, Deputy Mayor Ootes, with the permission of Council, proposed that Council now recess and reconvene in approximately 30 minutes.

Council concurred in the foregoing proposal.

Council recessed at 6:48 p.m.

7:27 P.M.

Council reconvened.

Deputy Mayor Ootes took the Chair and called the Members to order.

- 2119 At the request of Council, the City Clerk called the Roll at 7:28 p.m., those Members present at the call of the Roll being:

Councillors: Adams, Augimeri, Berger, Bossons, Chong, Chow, Davis, Disero, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shaw, Shiner, Silva - 31.

- 2120 Members present at the evening session of the second day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Chow, Davis, Disero, Duguid, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 51.

- 2121 Council resumed its consideration of Clause No. 1 of Report No. 25 of The Strategic Policies and Priorities Committee, headed "Tenant Tax Notification".
(See also Minutes Nos. 2118 and 2124.)

- (d) Councillor Flint, in amendment, moved that the foregoing Clause be amended to provide that the Chief Financial Officer and Treasurer be requested to provide to Members of Council a list of properties in their Wards where the tax decrease is less than 2.49 percent, plus specific tax change details for each property/unit, in order that Members of Council may provide notice to the tenants of those properties, the cost of such notice to be borne by the City of Toronto.

Council deferred further consideration of the foregoing Clause until later in the meeting.
(See also Minutes Nos. 2118 and 2124.)

2122 **Clause No. 2 of Report No. 12 of The Community and Neighbourhood Services Committee, headed "Update on Municipal Spending for Provision of Benefits to Non-Social Assistance Recipients".**

Council also had before it, during consideration of the foregoing Clause, the following communication and report:

- (i) (December 15, 1998) from Mr. Duncan P. Read, LL.B., President, Ontario March of Dimes, in opposition to the elimination of the special needs program for everyone except social assistance recipients; and
- (ii) (December 14, 1998) from the City Solicitor providing, as requested, a legal opinion regarding the creation of a City of Toronto child income program.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by:
 - (1) deleting Recommendation No. (1) embodied in the report dated October 19, 1998, from the Commissioner of Community and Neighbourhood Services, and inserting in lieu thereof the following:
 - “(1) the City continue to protect the municipal portion of benefits to be provided to non-social assistance recipients for extreme hardship cases by establishing a reserve fund;
 - (2) the Commissioner of Community and Neighbourhood Services be requested to develop guidelines for access to this fund and submit a report thereon to the Community and Neighbourhood Services Committee; and
 - (3) the funds be used to extend low-interest, or no-interest loans for funeral costs;”,
 - and renumbering the remaining recommendations accordingly; and
 - (2) adding thereto the following:
 - “It is further recommended that City Council continue to press the Ministry of Health for a share of the funding of health-related Special Assistance and Supplementary Aid for low income earners and persons on fixed incomes.”
- (b) Councillor Chong, in amendment, moved that the foregoing Clause be amended:

- (1) to provide that the municipal portion of this benefit be retained, and the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community and Neighbourhood Services Committee on the cost of so doing; and
- (2) by adding thereto the following:

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community and Neighbourhood Services Committee on setting up a program that assists hardship cases.”

Council deferred further consideration of the foregoing Clause until later in the meeting.
(See also Minute No. 2125.)

- 2123 At the request of Council, the City Clerk called the Roll at 8:07 p.m., those Members present at the call of the Roll being:

Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Chong, Chow, Davis, Disero, Duguid, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Tzekas, Walker - 43.

- 2124 Council resumed its consideration of Clause No. 1 of Report No. 25 of The Strategic Policies and Priorities Committee, headed “Tenant Tax Notification”.
(See also Minutes Nos. 2118 and 2121.)

At this point in the proceedings, Councillor Layton requested the Deputy Mayor to rule on whether Recommendation No. (1) of the Strategic Policies and Priorities Committee was in order.

Deputy Mayor Ootes ruled such recommendation in order.

Councillor Layton challenged the ruling of the Deputy Mayor.

Upon the question “Shall the ruling of the Deputy Mayor be upheld?”, the vote was taken as follows:

- Yeas: Mayor: Lastman.
Councillors: Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Chong, Disero, Duguid, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Moeser, Nunziata, Ootes, Saundercook, Sgro, Shiner, Silva - 24.
- Nays: Councillors: Adams, Augimeri, Chow, Davis, Flint, Johnston, Jones, Kinahan, Layton, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, O'Brien, Pantalone, Pitfield, Prue, Rae, Shaw, Tzekas, Walker - 23.

Decided in the affirmative by a majority of 1.

Upon the question of the adoption of the foregoing motion (a) by Councillor Adams, viz.:

“that the foregoing Clause be amended by striking out the recommendations of the Strategic Policies and Priorities Committee and inserting in lieu thereof the following recommendations embodied in the report dated November 4, 1998, addressed to the Budget Committee from the Chief Financial Officer and Treasurer, as embodied in the Clause:

‘It is recommended that:

- (1) Council approve the process for sending notices of 1998 property tax changes to all tenants as outlined in this report;
- (2) funds in the amount of \$453,400.00 be provided from Corporate Contingency;
- (3) funds in the amount of \$453,400.00 be allocated for the increased level of service for annual tenant notification of tax changes and included in the Finance Department’s 1999 Operating Budget if Council wishes to continue this extent of notification in 1999 and future years; and
- (4) the appropriate civic officials be authorized and directed to take whatever actions are necessary to give effect to the foregoing.’ ”,

the vote was taken as follows:

- Yeas: Councillors: Adams, Augimeri, Bossons, Brown, Chow, Davis, Disero, Duguid, Flint, Fotinos, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Pitfield, Prue, Rae, Saundercook, Silva, Tzekas, Walker - 30.

Nays: Mayor: Lastman.
Councillors: Ashton, Balkissoon, Berardinetti, Berger, Chong, Holyday, Jakobek, Lindsay Luby, Moeser, Ootes, Pantalone, Shaw, Shiner - 14.

Decided in the affirmative by a majority of 16.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (2) of the foregoing motion (c) by Councillor McConnell, redundant, viz.:

“that:

- (2) in the event that the foregoing motion (a) by Councillor Adams does not carry, the foregoing Clause be amended by adding to Recommendation No. (1) of the Strategic Policies and Priorities Committee, the following Group ‘B’:

‘Group B - Discretionary Notices of Tax Decreases <2.49 percent	
(3) Discretionary - Multi-Residential	\$120,475.00
(4) Discretionary - Residential	<u>12,556.00</u>
	Total: \$133,031.00’ ”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decision of Council, also declared the foregoing motion (d) by Councillor Flint, redundant, viz.:

“that the foregoing Clause be amended to provide that the Chief Financial Officer and Treasurer be requested to provide to Members of Council a list of properties in their Wards where the tax decrease is less than 2.49 percent, plus specific tax change details for each property/unit, in order that Members of Council may provide notice to the tenants of those properties, the cost of such notice to be borne by the City of Toronto.”

Upon the question of the adoption of the foregoing motion (b) by Councillor Moscoe, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (1) Members of Council be provided with a list of buildings within their Wards, in which tenants will be entitled to a rent decrease, and a calculation of the decrease as it applies to each property; and
- (2) this notification program be provided on an ongoing basis, but that it be reviewed after the first year and adjusted as required.’ ”,

it was carried.

Upon the question of the adoption of Part (1)(a) of the foregoing motion (c) by Councillor McConnell, viz.:

“that:

- (1) the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (a) the total taxation for the current and previous years also be included in the notification to taxpayers;’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Chong, Chow, Davis, Disero, Duguid, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Tzekas, Walker - 43.

Nays: Mayor: Lastman.
Councillors: Holyday, King, O’Brien - 4.

Decided in the affirmative by a majority of 39.

Upon the question of the adoption of Part (1)(b) of the foregoing motion (c) by Councillor McConnell, viz.:

“that:

- (1) the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (b) Members of Council be informed immediately of all successful taxation appeals of multi-residential properties within their Wards.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Berardinetti, Berger, Bossons, Brown, Chong, Chow, Davis, Disero, Duguid, Flint, Fotinos, Giansante, Jakobek,

Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 43.

Nays: Mayor: Lastman.
Councillors: Ashton, Balkissoon, Holyday, Ootes - 5.

Decided in the affirmative by a majority of 38.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended by:

- (1) striking out the recommendations of the Strategic Policies and Priorities Committee and inserting in lieu thereof the following recommendations embodied in the report dated November 4, 1998, addressed to the Budget Committee from the Chief Financial Officer and Treasurer, as embodied in the Clause:

‘It is recommended that:

- (1) Council approve the process for sending notices of 1998 property tax changes to all tenants as outlined in this report;
- (2) funds in the amount of \$453,400.00 be provided from Corporate Contingency;
- (3) funds in the amount of \$453,400.00 be allocated for the increased level of service for annual tenant notification of tax changes and included in the Finance Department’s 1999 Operating Budget if Council wishes to continue this extent of notification in 1999 and future years; and
- (4) the appropriate civic officials be authorized and directed to take whatever actions are necessary to give effect to the foregoing.’; and

- (2) adding thereto the following:

‘It is further recommended that:

- (a) the total taxation for the current and previous years also be included in the notification to taxpayers;

- (b) Members of Council be informed immediately of all successful taxation appeals of multi-residential properties within their Wards;
- (c) Members of Council be provided with a list of buildings within their Wards, in which tenants will be entitled to a rent decrease, and a calculation of the decrease as it applies to each property; and
- (d) this notification program be provided on an ongoing basis, but that it be reviewed after the first year and adjusted as required.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Berardinetti, Berger, Bossons, Brown, Chong, Chow, Davis, Disero, Duguid, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 44.

Nays: Mayor: Lastman.
Councillors: Ashton, Balkissoon, Holyday - 4.

Decided in the affirmative by a majority of 40.

2125 Council resumed its consideration of Clause No. 2 of Report No. 12 of The Community and Neighbourhood Services Committee, headed “Update on Municipal Spending for Provision of Benefits to Non-Social Assistance Recipients”.
(See also Minute No. 2122.)

Upon the question of the adoption of Part (1) of the foregoing motion (a) by Councillor Moscoe, viz.:

“that the foregoing Clause be amended by:

- (1) deleting Recommendation No. (1) embodied in the report dated October 19, 1998, from the Commissioner of Community and Neighbourhood Services, and inserting in lieu thereof the following:
 - ‘(1) the City continue to protect the municipal portion of benefits to be provided to non-social assistance recipients for extreme hardship cases by establishing a reserve fund;
 - (2) the Commissioner of Community and Neighbourhood Services be requested to develop guidelines for access to this fund and submit a

report thereon to the Community and Neighbourhood Services Committee; and

- (3) the funds be used to extend low-interest, or no-interest loans for funeral costs;’,

and renumbering the remaining recommendations accordingly;’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Berardinetti, Berger, Bossons, Brown, Chong, Chow, Disero, Duguid, Flint, Fotinos, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O’Brien, Pantalone, Pitfield, Prue, Rae, Sgro, Shaw, Shiner, Silva, Walker - 38.

Nays: Mayor: Lastman.
Councillors: Ashton, Balkissoon, Davis, Giansante, Holyday, Kelly, Moeser, Ootes, Saundercook, Tzekas - 11.

Decided in the affirmative by a majority of 27.

Upon the question of the adoption of Part (2) of the foregoing motion (a) by Councillor Moscoe, viz.:

“that the foregoing Clause be amended by:

- (2) adding thereto the following:

‘It is further recommended that City Council continue to press the Ministry of Health for a share of the funding of health-related Special Assistance and Supplementary Aid for low income earners and persons on fixed incomes.’ ”,

it was carried.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared the foregoing motion (b) by Councillor Chong, redundant, viz.:

“that the foregoing Clause be amended:

- (1) to provide that the municipal portion of this benefit be retained, and the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community and Neighbourhood Services Committee on the cost of so doing; and

- (2) by adding thereto the following:

‘It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community and Neighbourhood Services Committee on setting up a program that assists hardship cases.’ ”

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2126 **Clause No. 30 of Report No. 16 of The Toronto Community Council, headed “Site Plan Application and Alteration to a Designated Property Under Part IV of the Ontario Heritage Act - 2223 Bloor Street West (High Park)”.**

Council also had before it, during consideration of the foregoing Clause, a report (undated) from the Managing Director, Toronto Historical Board forwarding the minutes of the November 18, 1998 meeting of the Toronto Historical Board.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Miller, in amendment, moved that the foregoing Clause be amended by adding the following additional condition to Recommendation No. (1) embodied in the report dated December 2, 1998, from the Commissioner of Urban Planning and Development Services:

“(e) that the alterations be done in accordance with the principle of reversibility, including full and adequate documentation of altered or removed features, so that they may be restored and the building re-used in the future as a cinema or venue for live theatre;”.

- (b) Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee on potential Zoning By-law amendments or other measures to enhance the preservation of historic theatres in the City of Toronto, and to consult with heritage advocates, theatre owners and others in regard to these measures.”

Upon the question of the adoption of the foregoing motion (a) by Councillor Miller, it was carried.

Upon the question of the adoption of the foregoing motion (b) by Councillor Korwin-Kuczynski, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2127 At this point in the proceedings, Councillor Giansante, with the permission of Council, withdrew the following Notice of Motion J(10):

Moved by: Councillor Giansante

Seconded by: Councillor Feldman

“WHEREAS the Economic Development Committee had before it a report dated December 9, 1998, by staff regarding the Toronto Economic Development Corporation (TEDCO) at its last Committee meeting; and

WHEREAS due to a mandatory Friday sun-down time constraint, the matter was not dealt with at the Economic Development Committee; and

WHEREAS TEDCO has been without a full Board for a whole year; and

WHEREAS the new City of Toronto has not yet appointed a new Board; and

WHEREAS the Board of Directors of TEDCO, its staff and current Councillors have expressed an interest in inviting the Chairman of the Economic Development Committee to sit as a member of TEDCO; and

WHEREAS it is imperative that Council not delay the progress of TEDCO any further, the Mayor should appoint two new members from the Business Community to sit on the interim Board; and

WHEREAS Councillor Ashton, as Chair of the Economic Development Committee has agreed to also sit on the Board and concurs with the effects of this motion;

NOW THEREFORE BE IT RESOLVED THAT notwithstanding the provisions of Section 128 of the Council Procedural By-law, Council now give consideration to the aforementioned report;

AND BE IT FURTHER RESOLVED THAT the said report be adopted, subject to Recommendation No. (2) being amended to read as follows:

‘(i) that the study of the role, mandate and composition currently being undertaken through the Task Force on ABC’s by the Chief Administrative Officer, along with the study requested by the Economic Development Committee on the role and potential future role of TEDCO, be referred to a committee of Councillors appointed by the Mayor; and

(ii) that this new committee report directly to Council.’ ”

2128 **Clause No. 10 of Report No. 19 of The Corporate Services Committee, headed “Update on the Strategy to Create Affordable Housing and Demonstration Projects”.**

Council also had before it, during consideration of the foregoing Clause, a joint report (December 11, 1998) from the Commissioner of Community and Neighbourhood Services and the Commissioner of Urban Planning and Development Services reporting, as requested, on two City-owned surplus properties and the possibility of utilizing such properties for affordable housing and demonstration projects.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Layton, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the joint report dated December 11, 1998, from the Commissioner of Community and Neighbourhood Services and the Commissioner of Urban Planning and Development Services, embodying the following recommendations, be adopted:

‘It is recommended that Council:

- (1) direct staff to include in any Request for Proposals for an affordable housing development of the northerly Grand Avenue site a requirement that potential developers work within a community design consultation process;
- (2) direct the Commissioner of Corporate Services to re-examine the disposition of the Legion Road site and report to the Corporate Services Committee on the matters discussed in this report related to adjacent City-owned property, lands suitable for conveyance to the Toronto and Region Conservation Authority, contaminated soils and a possible recreational trail along Mimico Creek; and
- (3) the appropriate City officials be authorized to undertake any necessary action to give effect to the above recommendations.’ ”

Upon the question of the adoption of the foregoing motion by Councillor Layton, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2129 **Clause No. 11 of Report No. 26 of The Strategic Policies and Priorities Committee, headed “Replacement of Police Vehicles”.**

Council also had before it, during consideration of the foregoing Clause, a report (December 16, 1998) from the Commissioner of Corporate Services forwarding, as

requested, a copy of the report which was previously considered by the Budget Committee pertaining to the Police Services Board's vehicle replacement policy.

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 2130 **Clause No. 10 of Report No. 26 of The Strategic Policies and Priorities Committee, headed "Toronto Zoo - 1998 Operating Budget Variance Report and Contingency Request".**

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 2131 At this point in the proceedings, Councillor Moscoe, with the permission of Council, withdrew the following Notice of Motion J(3):

Moved by: Councillor Moscoe

Seconded by: Councillor Mihevc

"WHEREAS City Council at its meeting held October 1 and 2, 1998, adopted, as amended, Clause No. 1 of Report No. 11 of The Urban Environment and Development Committee, headed 'Prince Edward (Bloor Street) Viaduct: Measures to Deter Suicide Attempts - Selection of Preferred Design'; and

WHEREAS the Toronto Transit Commission (TTC) operates the Bloor-Danforth Subway on a deck underneath the roadway on the Prince Edward Viaduct; and

WHEREAS the TTC deck is constructed of precast beams that require underside inspection on a regular basis; and

WHEREAS the only practical method of inspection is with the use of a truck-mounted crane and basket called a Bridgemaster; and

WHEREAS the Department of Works and Emergency Services is planning to construct a suicide prevention barrier that will conflict with the use of the Bridgemaster;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 11 of The Urban Environment and Development Committee, headed 'Prince Edward (Bloor Street) Viaduct: Measures to Deter Suicide Attempts - Selection of Preferred Design', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services be requested to delay installation of the Suicide Prevention Barrier until a suitable alternate inspection method or barrier design is available.”

2132 **Clause No. 3 of Report No. 26 of The Strategic Policies and Priorities Committee, headed “Live Entertainment Corporation of Canada (‘Livent’)”.**

Council also had before it, during consideration of the foregoing Clause, a confidential joint report (December 11, 1998) from the Chief Financial Officer and Treasurer and the City Solicitor, such report to remain confidential in accordance with the provisions of the Municipal Act.

Upon the question of the adoption of the foregoing Clause, without amendment, Mayor Lastman, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the following Resolution be adopted:

Moved by: Mayor Lastman

Seconded by: Councillor Filion

‘WHEREAS consumers purchase tickets in advance, on a subscription basis and otherwise, to performances and events, in good faith, in the belief that the performance or event will take place; and

WHEREAS the performing arts depends on such patronage for its ongoing survival; and

WHEREAS the North York Performing Arts Corporation (NYPACC), on behalf of consumers, initiated and pursued legal action against Livent Inc. and the Canadian Imperial Bank of Commerce, Ticket Master, and American Bond Holders, in the aftermath of Livent’s mass cancellation of its performances and events at the Ford Centre for the Performing Arts; and

WHEREAS the Ontario Court (General Division), on December 17, 1998, ruled against consumers; and

WHEREAS NYPACC is a local board of the City of Toronto; and

WHEREAS the City of Toronto considers it in the public interest for this court decision to be appealed; and

WHEREAS the NYPACC Chair concurs in this;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) this court decision be appealed;
- (2) for this purpose, the law firm Cassels Brock Blackwell be instructed to appeal this decision on behalf of NYPACC and the City; and
- (3) the Ontario Minister of Consumer and Commercial Relations be petitioned immediately to amend the Ontario Consumer Protection Act to ensure that purchasers of advance tickets are fully protected against cancellations by event promoters and presenters.’ ”

Upon the question of the adoption of the foregoing motion by Mayor Lastman, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2133 Mayor Lastman moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(22):

Moved by: Mayor Lastman

Seconded by: Councillor Layton

“**WHEREAS** in the last 10 years in the City of Toronto there has been an average of 14,000 collisions per year at signal-controlled intersections; and

WHEREAS in the same time period, 80 of these collisions have resulted in 112 deaths caused by red-light running; and

WHEREAS recent tests at the intersection of Dufferin and St. Clair Avenue showed a total of 301 red-light infractions in only one direction of travel in 110 hours; and

WHEREAS the use of red-light cameras in other major cities such as New York and London have significantly reduced red-light violations and risk to life; and

WHEREAS the Minister of Transportation of Ontario has agreed to amend the necessary legislation to allow a two-year pilot project for municipal red-light cameras under certain conditions;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) authority be granted to the Commissioner of Works and Emergency Services to issue a public tender call for the supply, installation and maintenance of red-light camera systems at 10 high risk City intersections and the

installation of camera housings and detector subsystems at a further 10 high risk City intersections;

- (2) funding for these installations, estimated to be \$3,000,000.00, be provided from the 1999 Transportation Capital Budget and that the debt charge be offset from the revenue generated by tickets produced by the red-light camera system;
- (3) the Traffic Support Services Unit of Toronto Police Services be requested to report on simultaneous police enforcement of an additional 10 high risk City intersections to satisfy the Minister of Transportation's requirement for the pilot project, and that extraordinary police costs for this experiment be reimbursed from the revenue generated by tickets issued as part of this pilot project;
- (4) application be made to the Insurance Bureau of Canada for funding assistance for this pilot project, including police enforcement costs;
- (5) the appropriate City staff be authorized to meet with provincial officials to finalize the necessary agreements for this project as required by the new legislation; and
- (6) excess revenues generated by the pilot project go to the provision of additional cameras and housings.”

the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Chong, Chow, Davis, Disero, Duguid, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Tzekas - 45.

Nays: Councillors: Brown, Johnston, Sgro, Walker - 4.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the foregoing Motion, without amendment, the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Chong, Chow, Disero, Duguid, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Tzekas - 45.

Nays: Councillors: Brown, Davis, Sgro, Walker - 4.

Decided in the affirmative by a majority of 41.

2134 Mayor Lastman moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(23):

Moved by: Mayor Lastman

Seconded by: Councillor Disero

“WHEREAS the Ontario Ministry of the Environment is offering Ontario municipalities \$4.0 million in Blue Box program funding for liquor and wine containers in each of 1998 and 1999; and potential funding up to 50 percent of the Blue Box program by the year 2000; and

WHEREAS the City’s cost of recycling and disposing of empty liquor and wine bottles is at least \$1.0 million per year; and

WHEREAS the City of Toronto should be eligible for its fair share - \$1.0 million of the funding in each of 1998 and 1999; and

WHEREAS the City has adopted a by-law requiring liquor and wine stores to implement a deposit/return system effective January 1, 1999; and

WHEREAS the Minister of Environment has indicated that the City will not be eligible for the Blue Box funding if it proceeds with the deposit/return by-law;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 6 of The Works and Utilities Committee, headed ‘Banning of Wine and Spirit Containers from the Blue Box Program and Landfill Sites’, which was adopted as amended by City Council at its meeting held on July 8, 9 and 10, 1998, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT By-law No. 448-1998 be repealed effective December 31, 1998, subject to receipt of confirmation from the Minister of the Environment, prior to the date of repeal, of agreement to provide the City of

Toronto with funds in the amount of \$1.0 million in each of the 1998 and 1999 calendar years;

AND BE IT FURTHER RESOLVED THAT re-enactment of By-law No. 448-1998 be considered in one year's time, subject to a staff report on the successful negotiations with the Ministry of the Environment, such negotiations to include:

- (1) the examination of the requirement that the industry's 50 percent voluntary contribution for product stewardship become mandatory;
- (2) discussions on providing substantial assistance for City of Toronto diversion projects including the processing of organics and household hazardous waste; and
- (3) an increase of municipal representation on the proposed Waste Diversion Organization.”,

the vote upon which was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Ashton, Balkissoon, Berardinetti, Berger, Chong, Davis, Disero, Duguid, Flint, Fotinos, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Saundercook, Shaw, Silva, Tzekas - 31.

Nays: Councillors: Augimeri, Bossons, Brown, Chow, Johnston, Jones, Kinahan, Layton, Mammoliti, Mihevc, Miller, Moscoe, Pantalone, Prue, Rae, Sgro, Shiner, Walker - 18.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

At this point in the proceedings, Deputy Mayor Ootes advised the Council that, having regard that the motion to waive notice did not carry, consideration of the foregoing Motion is deferred to the next regular meeting of City Council to be held on February 2, 3 and 4, 1999.

2135 Councillor Korwin-Kuczynski moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(24), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Miller

“**WHEREAS** the Alcohol and Gaming Commission of Ontario will be considering an application for a liquor licence for Mimmo’s Place Restaurant, 2907 Dundas Street West, at a hearing set for February 4, 1999; and

WHEREAS local residents, businesses, police and the Ward Councillor’s office have significant concerns with respect to criminal and other disturbing and disorderly activities occurring on or about the premises; and

WHEREAS subsection 6(2)(h) of the Liquor Licence Act provides that an applicant is entitled to be issued a licence to sell liquor except if the licence is not in the public interest having regard to the needs and wishes of the residents of the municipality in which the premises are located; and

WHEREAS section 7.1 of Regulation 719 under the Liquor Licence Act states that, in the absence of receiving submissions to the contrary, the Board shall consider a Resolution of the Council of the municipality, in which are located the premises for which a person makes an application to sell liquor or holds a licence to sell liquor, as proof of the needs and wishes of the residents of the municipality for the purposes of clause 6(2)(h) of the Act;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council advise the Alcohol and Gaming Commission of Ontario that the issuance of a liquor licence with respect to Mimmo’s Place Restaurant, 2907 Dundas Street West, is not in the public interest, having regard to the needs and wishes of the residents of the municipality; and
- (2) the City Solicitor be authorized to attend the hearing on February 4, 1999, in opposition to the application.”

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

2136 **Clause No. 10 of Report No. 14 of The Etobicoke Community Council, headed “Other Items Considered by the Community Council”.**

Upon the question of the receipt for information of the foregoing Clause, without amendment, it was carried.

2137 **Clause No. 21 of Report No. 12 of The Scarborough Community Council, headed “Preliminary Evaluation Report, Official Plan Amendment Application SP1998019, Zoning By-Law Amendment Application SZ1998037, Monarch Construction Limited, 5039 Finch Avenue and 2627 McCowan Road, Agincourt North Community, Ward 18 - Scarborough Malvern”.**

Council also had before it, during consideration of the foregoing Clause, a report (December 10, 1998) from the City Solicitor reporting, as requested, on the impact of Section 37 of the Planning Act and the issue of incremental bonusing related to 5039 Finch Avenue and 2627 McCowan Road (Ward 18).

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

2138 **Clause No. 13 of Report No. 26 of The Strategic Policies and Priorities Committee, headed "City Hall Renovations".**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Shiner, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

"It is further recommended that:

- (1) the Chief Administrative Officer and the Commissioners be located at City Hall in the immediate proximity of the Members of Council; and
- (2) the Commissioner of Corporate Services be requested to submit a report to the next regular meeting of City Council to be held on February 2, 3 and 4, 1999, through the Sub-Committee on the Relocation of All Members of Council to City Hall, and the Corporate Services Committee, on the actual location of the Chief Administrative Officer and the Commissioners within the first few floors of City Hall."

Upon the question of the adoption of the foregoing motion by Councillor Shiner, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2139 Deputy Mayor Ootes called upon Notice of Motion F(1) appearing on the Order Paper for this meeting of Council, as follows:

Moved by: Councillor Adams

Seconded by: Councillor Kinahan

"**WHEREAS** the Assessment and Tax Policy Task Force on November 20, 1998, gave consideration to a report (November 16, 1998) from the City Solicitor and a communication from the Association of Municipalities of Ontario (AMO) regarding Bill 79 - The Fairness for Property Taxpayers Act, 1998; and

WHEREAS many of the amendments made by Bill 79 do not apply to the City of Toronto because City Council passed a by-law in July adopting the 2.5 percent cap on the commercial, industrial and multi-residential property classes pursuant to Part XXII.1 of the Municipal Act, as enacted by the Small Business and Charities Protection Act (Bill 16); and

WHEREAS this by-law cannot be amended and the City of Toronto is consequently precluded from adopting the 10-5-5 percent cap pursuant to Bill 79; and

WHEREAS the City of Toronto is also precluded from raising the tax rate on any of the capped classes and must raise the rate on the residential class, should it require additional revenue in 1999 or 2000 to meet its estimated expenditures; and

WHEREAS while any other municipality opting for the 2.5 percent cap faces the same restrictions, all municipalities other than the City of Toronto have the option of choosing instead the 10-5-5 percent cap and thereby not facing such restrictions; and

WHEREAS Bill 79 is being considered this week by the Ontario Legislation;

NOW THEREFORE BE IT RESOLVED THAT City Council request the Province to enact legislation or amend Bill 79 so that the City of Toronto is treated equally with municipalities that adopt the 10-5-5 percent cap to permit the City of Toronto to increase the tax rate on the capped property classes if the City of Toronto needs to increase the municipal tax rate.”

Council also had before it, during consideration of the foregoing Motion, the following reports (See Attachment No. 7.):

- (i) (November 16, 1998) from the City Solicitor, providing an overview of the provisions of Bill 79, the Fairness for Property Taxpayers Act, 1998, and its relevance to the City of Toronto; and
- (ii) (December 16, 1998) from the Chief Financial Officer and Treasurer reporting on the implications of Councillor Adams’ motion to request the Province to enact legislation or amend the Fairness for Property Taxpayer, 1998 - Bill 79 to permit the City to increase tax rate on the capped property classes so that the City is treated equally with other municipalities that adopt capping.

Upon the question of the adoption of the foregoing Motion, without amendment, Councillor Kinahan, in amendment, moved that the foregoing Motion, together with the reports dated November 16, 1998, from the City Solicitor, and December 16, 1998, from the Chief Financial Officer and Treasurer, be referred to the Corporate Services Committee for further consideration.

Upon the question of the adoption of the foregoing motion by Councillor Kinahan, it was carried.

- 2140 At this point in the proceedings, Councillor Chong, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 9 of The Striking Committee,

and moved, seconded by Councillor Ootes, that the provisions of Section 44 of the Council Procedural By-law be waived in connection with the foregoing Report and that Council now give consideration to such Report, which was carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Ootes requested Members of Council to indicate whether they had an interest in the Clause embodied in the foregoing Report, together with the nature of the interest.

There were no declarations of interest.

- 2141 **Clause No. 1 of Report No. 9 of The Striking Committee, headed “Appointment of Members of Council to the Greater Toronto Services Board”.**

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Mammoliti, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) City Council agree not to pay any form of remuneration or honorarium to any member of the Greater Toronto Services Board; and
- (2) no Capital monies be allocated to the Greater Toronto Services Board to construct any building.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of Part (2) of the foregoing motion (a) by Councillor Mammoliti, ruled such Part out of order.

- (b) Councillor Chong, in amendment, moved that the foregoing Clause be amended by deleting the name “Councillor Maria Augimeri” from Recommendation No. (1) of the Striking Committee and inserting in lieu thereof the name “Councillor John Adams”.
- (c) Councillor Mihevc, in amendment, moved that the foregoing Clause be amended by striking out Recommendations Nos. (1) and (2) of the Striking Committee and inserting in lieu thereof the following:

“It is recommended that all interested Members of Council be invited to stand as candidates for appointment to the Greater Toronto Services Board (GTSB); the first ten Members of Council selected by draw be appointed as members of the GTSB; the next ten Members of Council selected be appointed as alternates; and the 21st Member of Council selected be appointed as the Mayor’s alternate.”

- (d) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that Councillor John Adams be appointed to the position of ‘Whip to the City of Toronto Appointees to the Greater Toronto Services Board (GTSB)’.”

- (e) Councillor Shiner, in amendment, moved that:

- (1) the foregoing motion (c) by Councillor Mihevc be amended to provide that the members and alternates of the Greater Toronto Services Board be selected by ballot; and
- (2) the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (a) the terms of reference for the Whip position be as follows:
 - (i) the Whip is to attend all meetings of the GTSB;
 - (ii) the Whip is to ensure that the City of Toronto has a full contingent of representatives at all GTSB meetings;
 - (iii) the Whip is required to call Caucus meetings of Members of the GTSB by:
 - (1) preparing Caucus agendas; and
 - (2) working with the Mayor to assist Toronto appointees to develop a unified position on matters affecting the City of Toronto; and
- (b) expenses incurred by the Whip be paid by the City of Toronto, and the Chief Financial Officer and Treasurer be requested to prepare a budget for the Whip.”

At this point in the proceedings, Councillor Duguid, with the permission of Council, moved that, in accordance with subsection 37(e) of the Council Procedural By-law, the vote be now taken, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Augimeri, Berardinetti, Disero, Duguid, Flint, Fotinos, Giansante, Jakobek, Jones, Kelly, Lindsay Luby, McConnell, Moeser, Pitfield, Prue, Rae, Saundercook, Sgro - 20.

Nays: Councillors: Adams, Ashton, Berger, Brown, Bussin, Chong, Chow, Davis, Holyday, Kinahan, King, Layton, Li Preti, Mammoliti, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Shaw, Shiner, Silva, Tzekas, Walker - 26.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

(f) Councillor Berger, in amendment, moved that Part (1) of the foregoing motion (a) by Councillor Mammoliti be amended by adding thereto the words "and the municipalities located in the '905' area be requested to do likewise".

(g) Councillor Layton, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

"It is further recommended that the Greater Toronto Services Board representatives and alternates be requested to collectively submit a monthly report to Council, through the Strategic Policies and Priorities Committee."

At this point in the proceedings, Councillor Pantalone moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 10:00 p.m. recess, and that Council continue in session until 11:15 p.m. and review the necessity to continue the meeting at that time, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Chong, Chow, Davis, Duguid, Flint, Fotinos, Giansante, Holyday, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Rae, Saundercook, Shiner, Silva, Tzekas, Walker - 41.

Nays: Councillors: Brown, Bussin, Cho, Disero, Jones, Prue, Sgro - 7.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the foregoing motion (c) by Councillor Mihevc, the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Duguid, Jones, Kinahan, Mammoliti, McConnell, Mihevc, Minnan-Wong, Nunziata, Prue, Rae, Tzekas, Walker - 19.

Nays: Mayor: Lastman.
Councillors: Adams, Balkissoon, Berger, Brown, Chong, Chow, Davis, Disero, Flint, Fotinos, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Saundercook, Sgro, Shaw, Shiner, Silva - 30.

Decided in the negative by a majority of 11.

At this point in the proceedings, Councillor Shiner requested that he be granted the permission of Council to withdraw Part (1) of his foregoing motion (e), the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Chong, Chow, Davis, Disero, Duguid, Flint, Fotinos, Giansante, Holyday, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Moeser, Ootes, Pantalone, Prue, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas - 34.

Nays: Councillors: Adams, Altobello, Berger, Bussin, Cho, Jones, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Pitfield, Rae, Walker - 15.

Decided in the affirmative by a majority of 19.

Upon the question of the adoption of the foregoing motion (f) by Councillor Berger, it was carried.

Upon the question of the adoption of Part (1) of the foregoing motion (a) by Councillor Mammoliti, as amended, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe,

Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 49.

Nay: Nil.

Decided in the affirmative, without dissent.

Upon the question of the adoption of the foregoing motion (b) by Councillor Chong, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Ashton, Cho, Chong, Holyday, King, Li Preti, Saundercook - 8.

Nays: Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chow, Disero, Duguid, Flint, Fotinos, Giansante, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 40.

Decided in the negative by a majority of 32.

At this point in the proceedings, Councillor Moscoe, with the permission of Council, assumed carriage of Part (2) of the foregoing motion (e) by Councillor Shiner.

Upon the question of the adoption of Part (2)(a) of the foregoing motion (e) by Councillor Moscoe, it was carried.

Upon the question of the adoption of Part (2)(b) of the foregoing motion (e) by Councillor Moscoe, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Berardinetti, Disero, Flint, Fotinos, McConnell, Mihevc, Moscoe, Pantalone, Walker - 11.

Nays: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chow, Davis, Duguid, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Prue, Rae, Sgro, Shaw, Shiner, Silva, Tzekas - 36.

Decided in the negative by a majority of 25.

Upon the question of the adoption of the foregoing motion (d) by Councillor Moscoe, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Berardinetti, Berger, Brown, Cho, Chong, Chow, Disero, Duguid, Flint, Fotinos, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Prue, Rae, Saundercook, Sgro, Shiner, Tzekas, Walker - 36.

Nays: Councillors: Augimeri, Balkissoon, Bossons, Bussin, Giansante, Holyday, Jones, Kinahan, Layton, Pantalone, Shaw, Silva - 12.

Decided in the affirmative by a majority of 24.

Upon the question of the adoption of the foregoing motion (g) by Councillor Layton, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (1) Councillor John Adams be appointed to the position of “Whip to the City of Toronto Appointees to the Greater Toronto Services Board (GTSB)”, and the terms of reference for the Whip position be as follows:
 - (a) the Whip is to attend all meetings of the GTSB;
 - (b) the Whip is to ensure that the City of Toronto has a full contingent of representatives at all GTSB meetings;
 - (c) the Whip is required to call Caucus meetings of Members of the GTSB by:
 - (i) preparing Caucus agendas; and
 - (ii) working with the Mayor to assist Toronto appointees to develop a unified position on matters affecting the City of Toronto;

- (2) City Council agree not to pay any form of remuneration or honorarium to any member of the Greater Toronto Services Board, and the municipalities located in the “905” area be requested to do likewise; and
- (3) the Greater Toronto Services Board representatives and alternates be requested to collectively submit a monthly report to Council, through the Strategic Policies and Priorities Committee.’ ”,

it was carried.

2142 **Clause No. 1 of Report No. 14 of The Board of Health, headed “Phasing Out Pesticide Use in the City of Toronto”.**

Council also had before it, during consideration of the foregoing Clause, the following communications:

- (i) (December 2, 1998) from the City Clerk forwarding the recommendations of the Works and Utilities Committee with respect to Clause No. 1 of Report No. 14 of The Board of Health, headed “Phasing Out Pesticide Use in the City of Toronto”;
- (ii) (December 14, 1998) from the City Clerk forwarding the recommendations of the Economic Development Committee with respect to Clause No. 1 of Report No. 14 of The Board of Health, headed “Phasing Out Pesticide Use in the City of Toronto”; and
- (iii) (December 14, 1998) from Mr. Rich Whate, Toronto Environmental Alliance requesting that Council promote a pesticide-free environment and forwarding recommendations with respect thereto.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Disero, in amendment, moved that the foregoing Clause be amended in accordance with the recommendations of the Works and Utilities Committee embodied in the communication dated December 2, 1998, from the City Clerk.
- (b) Councillor Ashton, in amendment, moved that the foregoing motion (a) by Councillor Disero be amended by amending the Recommendation No. (1) of the Works and Utilities Committee by:
 - (1) deleting the words “adopt in principle the banning” and inserting in lieu thereof the words “set as a goal the elimination of”;
 - (2) deleting any reference to the word “ban” and inserting in lieu thereof the words “goal to eliminate”; and

(3) deleting Part (a) thereof and inserting in lieu thereof the following:

“(a) the Commissioner of Economic Development, Culture and Tourism, the Medical Officer of Health and the Commissioner of Works and Emergency Services be requested to submit a report to the Board of Health, the Works and Utilities Committee and the Economic Development Committee, no later than February, 1999, on a reasonable phase-in that would aim to achieve an end to the application of pesticides on public green spaces in 1999, except in emergency situations or other circumstances to be outlined in a report by the Commissioner of Economic Development, Culture and Tourism;”.

(c) Councillor Kelly, in amendment, moved that the foregoing Clause be struck out and referred to the Economic Development Committee for further consideration in conjunction with the pending report from the Commissioner of Economic Development, Culture and Tourism, in consultation with the Medical Officer of Health, the Urban Pest Management Council and Landscape Ontario on the development of an Integrated Pest Management Program, which is to be submitted to the March 25, 1999 meeting of the Committee.

Upon the question of the adoption of the foregoing motion (c) by Councillor Kelly, the vote was taken as follows:

Yeas: Councillors: Ashton, Giansante, Kelly, Moeser - 4.

Nays: Mayor: Lastman.

Councillors: Adams, Augimeri, Bossons, Bussin, Cho, Chong, Chow, Duguid, Flint, Fotinos, Holyday, Jakobek, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Moscoe, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Tzekas, Walker - 32.

Decided in the negative by a majority of 28.

Upon the question of the adoption of Parts (1) and (2) of the foregoing motion (b) by Councillor Ashton, the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Altobello, Ashton, Balkissoon, Chong, Duguid, Flint, Fotinos, Giansante, Holyday, Kelly, Korwin-Kuczynski, Moeser, Ootes, Shaw, Shiner - 16.

Nays: Councillors: Adams, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chow, Davis, Jakobek, Jones, Kinahan, King, Layton, Lindsay Luby, Li Preti,

McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Silva, Tzekas, Walker - 27.

Decided in the negative by a majority of 11.

Upon the question of the adoption of Part (3) of the foregoing motion (b) by Councillor Ashton, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Duguid, Flint, Fotinos, Giansante, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Tzekas, Walker - 42.

Nays: Councillors: Holyday, Kelly - 2.

Decided in the affirmative by a majority of 40.

Upon the question of the adoption of the foregoing motion (a) by Councillor Disero, and, in the absence of Councillor Disero, moved by Councillor Jakobek, as amended, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended in accordance with the recommendations of the Works and Utilities Committee, embodied in the communication dated December 2, 1998, from the City Clerk, subject to deleting Recommendation No. (a)(1)(a) and inserting in lieu thereof the following:

- ‘(a) the Commissioner of Economic Development, Culture and Tourism, the Medical Officer of Health and the Commissioner of Works and Emergency Services be requested to submit a report to the Board of Health, the Works and Utilities Committee and the Economic Development Committee, no later than February, 1999, on a reasonable phase-in that would aim to achieve an end to the application of pesticides on public green spaces in 1999, except in emergency situations or other circumstances to be outlined in a report by the Commissioner of Economic Development, Culture and Tourism;’;

so that the recommendations of the Works and Utilities Committee shall now read as follows:

‘The Works and Utilities Committee:

- (a) recommends the adoption of the recommendations of the Board of Health, embodied in Clause No. 1 of Report No. 14 of The Board of Health, entitled "Phasing Out Pesticide Use in the City of Toronto", subject to:
 - (1) striking out Recommendation No. (1) of the Board of Health and Recommendation No. (1) of the Medical Officer of Health, and inserting in lieu thereof the following:
 - "(1) That City Council adopt in principle the banning of pesticides on all City property; and further that:
 - (a) the Commissioner of Economic Development, Culture and Tourism, the Medical Officer of Health and the Commissioner of Works and Emergency Services be requested to submit a report to the Board of Health, the Works and Utilities Committee and the Economic Development Committee, no later than February, 1999, on a reasonable phase-in that would aim to achieve an end to applying pesticides on public green spaces in 1999, except in emergency situations or other circumstances to be outlined in a report by the Commissioner of Economic Development, Culture and Tourism;
 - (b) staff ensure that the phased-in ban include an improved and modified lawn care program to balance the effect of eliminating pesticides; and
 - (c) the proposed Pesticide Sub-Committee, as amended by Recommendation No. (2) of the Board of Health, be convened to assist the Chief Administrative Officer and the Medical Officer of Health in the development of their report;"; and
 - (2) amending Recommendation No. (3) of the Board of Health to provide that funding for the proposed public education program be included for consideration in the 1999 budget; and

- (B) further recommends that:
- (1) the Commissioner of Works and Emergency Services be requested to develop a pilot project to engage the use of the various beneficial use products arising from the biosolids management initiatives from the Main Treatment Plant;
 - (2) the appropriate staff be requested to submit a report to the appropriate committee on a program similar to the Plant Health Care Program of the City of Waterloo that involves horticultural practices to lead to the near elimination of pesticide use on City of Toronto properties; and
 - (3) the submission by Councillor Shiner, consisting of a report dated November 1996 which was before the former City of North York Environment Committee, entitled Pesticide Use/Alternatives to Pesticides - 1996, and detailed recommendations with respect thereto, be referred to the Chief Administrative Officer, the Toronto Inter-Departmental Environment Team, the Medical Officer of Health and any other staff reviewing pesticide use, to review in context with the final reports.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Duguid, Flint, Fotinos, Giansante, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Tzekas, Walker - 41.

Nays: Councillors: Davis, Holyday, Kelly - 3.

Decided in the affirmative by a majority of 38.

2143 **Clause No. 3 of Report No. 12 of The Community and Neighbourhood Services Committee, headed “Amalgamation of the City of Toronto Non-Profit Housing Corporation and The Metropolitan Toronto Housing Company Limited Under the Name of ‘Toronto Housing Company Inc.’ ”.**

Council also had before it, during consideration of the foregoing Clause, a communication (undated) from Ms. Margaret Watson, Co-Chair Metro Toronto Chapter, Canadian Pensioners Concerned, Inc., Ontario Division, expressing concern respecting the proposal to decrease the percentage of tenant places reserved on the Board of Directors of the new Toronto Housing Company.

Upon the question of the adoption of the foregoing Clause, without amendment:

(a) Councillor Layton, in amendment, moved that the foregoing Clause be amended:

(1) to provide that no less than one-third of the composition of the Board of Directors of the Toronto Housing Company Inc. be tenants of the Corporation; and

(2) by adding thereto the following:

“It is further recommended that the Chief Operating Officer of the Toronto Housing Company Inc. and the tenant organizations within the Housing Company, be requested to develop and implement a plan that would provide for the democratic selection of the tenant representatives to sit on the Board of Directors from amongst the tenants of the Company.”

(b) Councillor Walker, in amendment, moved that the foregoing Clause be amended by striking out Recommendation No. (1) of the Community and Neighbourhood Services Committee and inserting in lieu thereof the following:

“(1) amending the composition of the Board of Directors of the Toronto Housing Company Inc. as follows:

- four tenants;
- three Members of Council; and
- five citizens.”

(c) Councillor King, in amendment, moved that the foregoing Clause be amended by:

(1) deleting from Recommendation No. (2) of the Community and Neighbourhood Services Committee the words “the tenant and”, so that such recommendation shall now read as follows:

“(2) citizen appointments being processed through the City’s Nominating Committee, with input from the Board of Directors, and the Members of Council being recommended by the Striking Committee, with all appointments being recommended to Council no later than its March 2, 1999 meeting;”; and

(2) adding thereto the following:

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to develop a list of appropriate criteria to assist the Nominating Committee with its recommendations for the five citizen appointees to the Board of Directors of the Toronto Housing Company Inc.”

- (d) Councillor Davis, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the advertisement for the citizen positions on the Board of Directors of the Toronto Housing Company Inc. be posted in each of the Housing Company’s buildings.”

At this point in the proceedings, Councillor Layton moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 11:15 p.m. recess, and that Council continue in session until 11:45 p.m., which was carried, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of Part (1) of the foregoing motion (a) by Councillor Layton, the vote was taken as follows:

Yeas: Councillors: Augimeri, Bussin, Chow, Jones, Kinahan, Layton, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Pitfield, Prue, Rae, Walker - 15.

Nays: Mayor: Lastman.
Councillors: Ashton, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Davis, Duguid, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Minnan-Wong, Moeser, Nunziata, Ootes, Saundercook, Sgro, Shaw, Silva, Tzekas - 30.

Decided in the negative by a majority of 15.

Upon the question of the adoption of the foregoing motion (b) by Councillor Walker, the vote was taken as follows:

Yeas: Councillors: Augimeri, Bussin, Chow, Jones, Kinahan, Layton, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Pitfield, Prue, Rae, Walker - 15.

Nays: Mayor: Lastman.
Councillors: Ashton, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Davis, Duguid, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Minnan-Wong, Moeser, Nunziata, Ootes, Saundercook, Sgro, Shaw, Silva, Tzekas - 30.

Decided in the negative by a majority of 15.

Upon the question of the adoption of Part (1) of the foregoing motion (c) by Councillor King, it was carried.

Upon the question of the adoption of Part (2) of the foregoing motion (a) by Councillor Layton, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Duguid, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Tzekas, Walker - 43.

Nays: Councillors: Fotinos, Kelly - 2.

Decided in the affirmative by a majority of 41.

Upon the question of the adoption of Part (2) of the foregoing motion (c) by Councillor King, it was carried.

Upon the question of the adoption of the foregoing motion (d) by Councillor Davis, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended by:

(1) deleting from Recommendation No. (2) of the Community and Neighbourhood Services Committee the words ‘the tenant and’, so that such recommendation shall now read as follows:

‘(2) citizen appointments being processed through the City’s Nominating Committee, with input from the Board of Directors, and the Members of Council being recommended by the Striking Committee, with all appointments being recommended to Council no later than its March 2, 1999 meeting;’; and

(2) adding thereto the following:

‘It is further recommended that:

(a) the Commissioner of Community and Neighbourhood Services be requested to develop a list of appropriate criteria to assist the

Nominating Committee with its recommendations for the five citizen appointees to the Board of Directors of the Toronto Housing Company Inc.;

- (b) the advertisement for the citizen positions on the Board of Directors of the Toronto Housing Company Inc. be posted in each of the Housing Company's buildings; and
- (c) the Chief Operating Officer of the Toronto Housing Company Inc. and the tenant organizations within the Housing Company, be requested to develop and implement a plan that would provide for the democratic selection of the tenant representatives to sit on the Board of Directors from amongst the tenants of the Company.' ”,

it was carried.

2144 **Clause No. 2 of Report No. 14 of The Urban Environment and Development Committee, headed “Official Plan Policies and Related By-laws Regarding the Conversion to Condominium and Demolition of Rental Housing (All Wards)”.**

Council also had before it, during consideration of the foregoing Clause, the following communications with respect to the proposed official plan policies, conversion to condominium and demolition of rental housing:

- (i) (December 14, 1998) from Mr. Bill Solomon, Toronto; and
- (ii) (December 16, 1998) from Ms. Cynthia A. MacDougall, McCarthy Tetrault, on behalf of Greatwise Developments Corporation.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Pantalone, in amendment, moved that the foregoing Clause be struck out and referred back to the Urban Environment and Development Committee for further consideration at its meeting to be held on February 8, 1999, and the holding of a statutory public meeting if necessary, having regard that the Committee has requested further reports on this matter.

Upon the question of the adoption of the foregoing motion by Councillor Pantalone, it was carried.

2145 **Clause No. 1 of Report No. 2 of The Audit Committee, headed “Auditor General’s Office”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Minnan-Wong, in amendment, moved that consideration of the foregoing Clause be deferred to the next regular meeting of City Council to be held on February 2, 3 and 4, 1999.

Upon the question of the adoption of the foregoing motion by Councillor Minnan-Wong, it was carried.

2146 **Clause No. 2 of Report No. 15 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Community Council Boundaries”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor McConnell, in amendment, moved that Council adopt the following recommendation:

Moved by: Councillor McConnell

“WHEREAS the citizens of this City had opposed amalgamation precisely because they did not want to see their historic communities swept away; and

WHEREAS the Community Council system was established to serve as a protection for citizens in sustaining the community relationships they valued; and

WHEREAS community consultations on this issue resulted in many respondents opposing changes to the Community Council boundaries; and

WHEREAS the proposed criteria for new Community Council boundaries has had little public discussion;

NOW THEREFORE BE IT RESOLVED THAT this Clause be referred back to the Special Committee to Review the Final Report of the Toronto Transition Team for further consideration and public review.”

Upon the question of the adoption of the foregoing motion by Councillor McConnell, it was carried.

2147 **Clause No. 13 of Report No. 12 of The Scarborough Community Council, headed “Ontario Municipal Board Decision for Ontario Hydro Corridor, Graywood Lands North of Highway 401, Ward 14 - Scarborough Wexford, Ward 17 - Scarborough Agincourt”.**

Council also had before it, during consideration of the foregoing Clause, a report (December 11, 1998) from the Director of Community Planning, East District reporting, as requested, on the details of the recent Ontario Municipal Board decision regarding the former Ontario Hydro corridor lands north of Highway 401.

Council also had before it, during consideration of the foregoing Clause, a confidential report (December 10, 1998) from the City Solicitor, such report to remain confidential in accordance with the provisions of the Municipal Act, save and except the recommendations embodied therein.

Council also had before it, during consideration of the foregoing Clause, a communication (December 17, 1998) from Mr. M. Cross and Ms. P. Cross, Toronto, in regard to the Ontario Municipal Board decision regarding the former Ontario Hydro corridor lands north of Highway 401.

Having regard that the foregoing Clause was submitted without recommendation:

(a) Councillor Kelly moved that Council adopt the following recommendation:

“It is recommended that the confidential report dated December 10, 1998, from the City Solicitor, entitled ‘Ontario Hydro Corridor (Scarborough) - OMB Decision - Graywood Lands’, embodying the following recommendations, be adopted, the balance of such report to remain confidential in accordance with the provisions of the Municipal Act:

‘It is recommended that the City Solicitor be authorized to institute the following:

- (a) an application to the Divisional Court for leave to appeal the Ontario Municipal Board decision respecting the Ontario Hydro corridor lands north of Highway 401; and
- (b) a request to the Ontario Municipal Board to review its decision respecting the Ontario Hydro corridor lands north of Highway 401.’ ”

(b) Councillor Tzekas moved that Council adopt the following recommendations:

“It is recommended that:

- (1) all resident associations and individuals who participated in the initial OMB Hearing be notified by mail of Council’s adoption of Recommendations Nos. (1)(a) and (b), above; and
- (2) the appropriate City staff be instructed to attend any public meeting called by the local Councillors early in 1999, and all community participants in the first Hearing be invited.”

Upon the question of the adoption of the foregoing motion (b) by Councillor Tzekas, it was carried.

Upon the question of the adoption of the foregoing motion (a) by Councillor Kelly, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2148 Councillor Augimeri, seconded by Councillor Saundercook, moved that leave be granted to introduce:

Bill No. 895 To amend further By-law No. 15-92 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits,

which was carried.

Upon the question, "Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?", as follows:

By-law No. 892-1998 To amend further By-law No. 15-92 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits,

it was carried, more than two-thirds of Members present having voted in the affirmative.

2149 Councillor Augimeri, seconded by Councillor Saundercook, moved that leave be granted to introduce:

Bill No. 888 To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.

Bill No. 889 To provide for the designation of portions of highways as community safety zones.

Bill No. 890 To designate the property at 363 and 365 Adelaide Street East as being of architectural and historical value or interest.

Bill No. 891 To designate the property at 3800 St. Clair Avenue East (R.H. King Memorial Arch) as being of historical value or interest.

Bill No. 892 To designate the property at 226 King Street East as being of architectural and historical value or interest.

Bill No. 893 To amend City of North York By-law No. 7625.

Bill No. 894 To amend Chapters 320 and 324 of the City of Etobicoke Zoning Code with respect to certain lands located north of The Queensway and east of The West Mall.

- Bill No. 896 To amend the former City of Toronto Municipal Code Chapter 331, Trees, Article III respecting trees that straddle property lines.
- Bill No. 897 To amend Municipal Code Ch. 25, Community and Recreation Centres, to permit the sale and consumption of alcohol under a special occasion permit at the Ted Reeve Arena(175 Main Street).
- Bill No. 898 To adopt Amendment No. 461 of the Official Plan for the City of North York.
- Bill No. 899 To amend By-law 7625 , as amended, and to repeal By-law 26520.
- Bill No. 900 To amend City of North York By-law 7625.
- Bill No. 901 To amend City of North York By-law No. 7625 in respect of lands municipally known as 797 Don Mills Road.
- Bill No. 902 To amend By-law 7625, as amended in respect of lands municipality known as 4021 Yonge Street.
- Bill No. 903 To amend City of North York By-law 7625 in respect of lands municipally known as 303 Finch Avenue East.
- Bill No. 904 To stop up and close the public lane O’Keefe Lane, east of Yonge Street, extending between Gould Street and Dundas Street East and to authorize the conveyance of a portion thereof.
- Bill No. 905 To stop up and close portions of Gould Street and Victoria Street.
- Bill No. 906 To stop up and close the public lane O’Keefe Lane, east of Yonge Street, extending between Dundas Street East and Dundas Square.
- Bill No. 907 To amend By-law No. 28-1998, being “A By-law respecting the Toronto Parking Authority”, to allow for the management and use of on-street parking machine facilities.
- Bill No. 908 To authorize the erection, operation, use and maintenance of parking machines on the highways under the jurisdiction of the City of Toronto, including the setting of fee amounts or fee scales.
- Bill No. 909 To amend Chapter 400, Traffic and Parking, of the Municipal Code of the former City of Toronto to establish and set the rates for parking machines to be located on Elm Street, from University Avenue to Yonge Street.

- Bill No. 910 To amend further By-law No. 23503 of the former City of Scarborough respecting the regulation of traffic on Toronto Roads.
- Bill No. 911 To amend further the Pedestrian Crossover By-law No. 23506 of the former City of Scarborough, on Toronto Roads.
- Bill No. 912 To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.
- Bill No. 913 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Glendonwynne Road, Norma Crescent.
- Bill No. 914 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bocastle Avenue, Burnside Drive, Busy Street, Chatham Avenue, Ellis Avenue, Front Street West, Grenadier Heights, Helendale Avenue, Kelway Boulevard, Keystone Avenue, Lawlor Avenue, Pembroke Street, Pote Avenue, Pullan Place, Rhodes Avenue, Ridelle Avenue, Ronan Avenue, Simcoe Street, Trinity Street, Waller Avenue.
- Bill No. 915 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hillsdale Avenue West.
- Bill No. 918 To exempt from municipal taxation certain lands of the Toronto and Region Conservation Authority used as City Parks.
- Bill No. 919 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Albany Avenue, Claremont Street, Glenrose Avenue, Montrose Avenue, Millbrook Crescent, Osler Street, Winnifred Avenue, Woodfield Road.
- Bill No. 920 To amend further By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
- Bill No. 921 To further amend former City of Toronto By-law No. 602-89, being "A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations", respecting the alteration of Roxborough Drive by the installation of speed humps from Mount Pleasant Road to Highland Avenue.
- Bill No. 922 To further amend former City of Toronto By-law No. 602-89, being "A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations", respecting the alteration of Brunswick Avenue by the installation of speed humps from Bloor Street West to Wells Avenue and the alteration of Barton Avenue by the installation of speed humps from Brunswick Avenue to Albany Avenue.

- Bill No. 923 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, Schedule XXVI (Permit Parking), by adding a new Part AAA and respecting Hillsdale Avenue West.
- Bill No. 924 To dedicate the one-foot reserve at the west end of Mariposa Street (now Winfield Avenue) on Registered Plan 615 as public highway.
- Bill No. 925 To adopt Amendment No. 470 of the Official Plan for the City of North York.
- Bill No. 926 To amend City of North York By-law No. 7625.
- Bill No. 927 To amend by-law 31001 of the former City of North York, as amended.
- Bill No. 928 To amend By-law 31001 of the former City of North York, as amended.
- Bill No. 929 To amend By-law 31001 of the former City of North York, as amended.
- Bill No. 930 To amend By-law 31001 of the former City of North York, as amended.
- Bill No. 931 To amend By-law no. 32759, as amended, of the former City of North York.
- Bill No. 932 To layout and dedicate for public lane purposes certain land to form part of the public lane north of Eglinton Avenue West, extending westerly from Old Park Road.
- Bill No. 933 To layout and dedicate for public lane purposes certain land to form part of the public lane east of Yonge Street, extending southerly from Merton Street.
- Bill No. 934 To layout and dedicate for public lane purposes certain land to form part of the public lane north of Ryding Avenue, extending easterly from Runnymede Road.
- Bill No. 935 To layout and dedicate for public lane purposes certain land to form part of the public lane north of Bloor Street West, extending easterly from Shaw Street.
- Bill No. 936 To layout and dedicate for public lane purposes certain land to form part of the public lane east of Mount Pleasant Road, extending southerly from Manor Road East.
- Bill No. 938 To amend Scarborough Zoning By-law Number 9276, with respect to the Kennedy Park Community.

- Bill No. 939 To adopt Amendment No. 1008 of the Official Plan for the former City of Scarborough.
- Bill No. 940 To amend Scarborough Zoning By-law Number 9676, as amended, with respect to the Guildwood Community.
- Bill No. 941 To adopt Amendment No. 1017 of the Official Plan for the former City of Scarborough.
- Bill No. 942 To amend the Scarborough Employment Districts Zoning By-law No. 24982 with respect to the Birchmount Park Employment District.
- Bill No. 943 To adopt Amendment No. 1019 of the Official Plan for the former City of Scarborough.
- Bill No. 944 To amend By-law No. 15907, the Rouge Community Zoning By-law.
- Bill No. 945 To adopt Amendment No. 1021 of the Official Plan for the former City of Scarborough.
- Bill No. 946 To amend the Employment Districts Zoning By-law No. 24982 (Marshalling Yard Employment District).
- Bill No. 947 To amend Scarborough Zoning By-law, the Employment Districts Zoning By-law No. 24982 with respect to the Wexford Employment District.
- Bill No. 948 To amend Scarborough Zoning By-law, Zoning By-law No. 10827 with respect to the Highland Creek Community.
- Bill No. 949 To amend the Dorset Park Community Zoning By-law No. 9508, as amended.
- Bill No. 950 To amend Scarborough Zoning By-laws, the Employment Districts Zoning By-law Number 24982 with respect to the Knob Hill Employment District and Zoning By-law No. 10048, with respect to the Eglinton Community By-law.
- Bill No. 951 To remove a Site Plan Control Area (Woburn Community).
- Bill No. 952 To designate certain lands on a registered plan not subject to Part-Lot Control (Re: 366 Rogers Road and 50-100 Bronoco Avenue).
- Bill No. 953 To layout and dedicate for public highway purposes certain land to form part of Lower Portland Street.

- Bill No. 954 To layout and dedicate for public lane purposes certain land north of Wellington Street West, extending easterly from Blue Jays Way.
- Bill No. 955 To layout and dedicate for public lane purposes certain land to form part of the public lane north of Harbord Street, extending easterly from Robert Street.
- Bill No. 956 To layout and dedicate for public lane purposes certain land to form part of the public lane west of Sherbourne Street, extending southerly from Richmond Street East.
- Bill No. 957 To layout and dedicate for public lane purposes certain land to form part of the public lane west of Sherbourne Street, extending southerly from Richmond Street East.
- Bill No. 958 To layout and dedicate certain land for public highway purposes and to name that land to form part of Bremner Boulevard.
- Bill No. 959 To provide for the levy and collection of 1999 interim realty taxes and penalties for non-payment thereof.
- Bill No. 960 To lay out and dedicate for public highway purposes certain land extending southerly and westerly from Queen Street East, opposite Kingston Road, to form part of Eastern Avenue; to assume certain land, identified as Eastern Avenue, laid out and dedicated by Plan 66M-2311, for public highway purposes, to form part of Eastern Avenue; and to assume certain land, identified as Block 151, laid out and dedicated by Plan 66M-2311, for public highway purposes to form part of Queen Street East.
- Bill No. 961 To lay out and dedicate for public lane purposes certain land to form part of the public lane north of Queen Street West, extending westerly from Beaconsfield Avenue.
- Bill No. 962 To lay out and dedicate for public lane purposes certain land to form part of the public lane north of Davenport Road, extending easterly from the lane east of Avenue Road.
- Bill No. 963 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bremner Boulevard.
- Bill No. 964 To amend By-Law No. 472-1998, being a by-law to Phase-in 1998 Assessment-Related Tax Increases and Decreases for the Residential Property Class”.

- Bill No. 965 To exclude Certain Properties from the Application of By-law No. 472-1998, being a by-law to Phase-in 1998 Assessment-Related Tax Increases and Decreases for the Residential Property Class.
- Bill No. 966 To amend further Metropolitan Toronto By-law No. 20-85, a by-law Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area, a by-law of the former Municipality of Metropolitan Toronto.
- Bill No. 967 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 968 To amend the Etobicoke Municipal Code with respect to Parking - Chapter 183, Article V.
- Bill No. 969 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 970 To amend the Etobicoke Municipal Code with respect to Parking - Chapter 183, Article V.
- Bill No. 971 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 972 To amend further Metropolitan Toronto By-law No. 20-85, a by-law respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area, a by-law of the former Municipality of Metropolitan Toronto,

which was carried.

Upon the question, "Shall these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws?", as follows:

- By-law No. 893-1998 To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
- By-law No. 894-1998 To provide for the designation of portions of highways as community safety zones.
- By-law No. 895-1998 To designate the property at 363 and 365 Adelaide Street East as being of architectural and historical value or interest.

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| By-law No. 896-1998 | To designate the property at 3800 St. Clair Avenue East (R.H. King Memorial Arch) as being of historical value or interest. |
| By-law No. 897-1998 | To designate the property at 226 King Street East as being of architectural and historical value or interest. |
| By-law No. 898-1998 | To amend City of North York By-law No. 7625. |
| By-law No. 899-1998 | To amend Chapters 320 and 324 of the City of Etobicoke Zoning Code with respect to certain lands located north of The Queensway and east of The West Mall. |
| By-law No. 900-1998 | To amend the former City of Toronto Municipal Code Chapter 331, Trees, Article III respecting trees that straddle property lines. |
| By-law No. 901-1998 | To amend Municipal Code Ch. 25, Community and Recreation Centres, to permit the sale and consumption of alcohol under a special occasion permit at the Ted Reeve Arena (175 Main Street). |
| By-law No. 902-1998 | To adopt Amendment No. 461 of the Official Plan for the City of North York. |
| By-law No. 903-1998 | To amend By-law 7625 , as amended, and to repeal By-law No. 26520. |
| By-law No. 904-1998 | To amend City of North York By-law No. 7625. |
| By-law No. 905-1998 | To amend City of North York By-law No. 7625 in respect of lands municipally known as 797 Don Mills Road. |
| By-law No. 906-1998 | To amend By-law No. 7625, as amended in respect of lands municipality known as 4021 Yonge Street. |
| By-law No. 907-1998 | To amend City of North York By-law No. 7625 in respect of lands municipally known as 303 Finch Avenue East. |
| By-law No. 908-1998 | To stop up and close the public lane O'Keefe Lane, east of Yonge Street, extending between Gould Street and Dundas Street East and to authorize the conveyance of a portion thereof. |

- By-law No. 909-1998 To stop up and close portions of Gould Street and Victoria Street.
- By-law No. 910-1998 To stop up and close the public lane O'Keefe Lane, east of Yonge Street, extending between Dundas Street East and Dundas Square.
- By-law No. 911-1998 To amend By-law No. 28-1998, being a By-law respecting the 'Toronto Parking Authority', to allow for the management and use of on-street parking machine facilities.
- By-law No. 912-1998 To authorize the erection, operation, use and maintenance of parking machines on the highways under the jurisdiction of the City of Toronto, including the setting of fee amounts or fee scales.
- By-law No. 913-1998 To amend Chapter 400, Traffic and Parking, of the Municipal Code of the former City of Toronto to establish and set the rates for parking machines to be located on Elm Street, from University Avenue to Yonge Street.
- By-law No. 914-1998 To amend further By-law No. 23503 of the former City of Scarborough respecting the regulation of traffic on Toronto Roads.
- By-law No. 915-1998 To amend further the Pedestrian Crossover By-law No. 23506 of the former City of Scarborough, on Toronto Roads.
- By-law No. 916-1998 To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.
- By-law No. 917-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Glendonwynne Road, Norma Crescent.
- By-law No. 918-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bocastle Avenue, Burnside Drive, Busy Street, Chatham Avenue, Ellis Avenue, Front Street West, Grenadier Heights, Helendale Avenue, Kelway Boulevard, Keystone Avenue, Lawlor Avenue, Pembroke Street, Pote Avenue, Pullan Place, Rhodes Avenue, Ridelle Avenue, Ronan Avenue, Simcoe Street, Trinity Street, Waller Avenue.

- By-law No. 919-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hillsdale Avenue West.
- By-law No. 920-1998 To exempt from municipal taxation certain lands of the Toronto and Region Conservation Authority used as City Parks.
- By-law No. 921-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Albany Avenue, Claremont Street, Glenrose Avenue, Montrose Avenue, Millbrook Crescent, Osler Street, Winnifred Avenue, Woodfield Road.
- By-law No. 922-1998 To amend further By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
- By-law No. 923-1998 To further amend former City of Toronto By-law No. 602-89, being aBy-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations, respecting the alteration of Roxborough Drive by the installation of speed humps from Mount Pleasant Road to Highland Avenue.
- By-law No. 924-1998 To further amend former City of Toronto By-law No. 602-89, being aBy-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations, respecting the alteration of Brunswick Avenue by the installation of speed humps from Bloor Street West to Wells Avenue and the alteration of Barton Avenue by the installation of speed humps from Brunswick Avenue to Albany Avenue.
- By-law No. 925-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, Schedule XXVI (Permit Parking), by adding a new Part AAA and respecting Hillsdale Avenue West.
- By-law No. 926-1998 To dedicate the one-foot reserve at the west end of Mariposa Street (now Winfield Avenue) on Registered Plan 615 as public highway.
- By-law No. 927-1998 To adopt Amendment No. 470 of the Official Plan for the City of North York

By-law No. 928-1998	To amend City of North York By-law No. 7625.
By-law No. 929-1998	To amend By-law No. 31001 of the former City of North York, as amended.
By-law No. 930-1998	To amend By-law No. 31001 of the former City of North York, as amended.
By-law No. 931-1998	To amend By-law No. 31001 of the former City of North York, as amended.
By-law No. 932-1998	To amend By-law No. 31001 of the former City of North York, as amended.
By-law No. 933-1998	To amend By-law No. 32759, as amended, of the former City of North York.
By-law No. 934-1998	To layout and dedicate for public lane purposes certain land to form part of the public lane north of Eglinton Avenue West, extending westerly from Old Park Road.
By-law No. 935-1998	To layout and dedicate for public lane purposes certain land to form part of the public lane east of Yonge Street, extending southerly from Merton Street.
By-law No. 936-1998	To layout and dedicate for public lane purposes certain land to form part of the public lane north of Ryding Avenue, extending easterly from Runnymede Road.
By-law No. 937-1998	To layout and dedicate for public lane purposes certain land to form part of the public lane north of Bloor Street West, extending easterly from Shaw Street.
By-law No. 938-1998	To layout and dedicate for public lane purposes certain land to form part of the public lane east of Mount Pleasant Road, extending southerly from Manor Road East.
By-law No. 939-1998	To amend Scarborough Zoning By-law No. 9276, with respect to the Kennedy Park Community.
By-law No. 940-1998	To adopt Amendment No. 1008 of the Official Plan for the former City of Scarborough.
By-law No. 941-1998	To amend Scarborough Zoning By-law No. 9676, as amended, with respect to the Guildwood Community.

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| By-law No. 942-1998 | To adopt Amendment No. 1017 of the Official Plan for the former City of Scarborough. |
| By-law No. 943-1998 | To amend the Scarborough Employment Districts Zoning By-law No. 24982 with respect to the Birchmount Park Employment District. |
| By-law No. 944-1998 | To adopt Amendment No. 1019 of the Official Plan for the former City of Scarborough. |
| By-law No. 945-1998 | To amend By-law No. 15907, the Rouge Community Zoning By-law. |
| By-law No. 946-1998 | To adopt Amendment No. 1021 of the Official Plan for the former City of Scarborough. |
| By-law No. 947-1998 | To amend the Employment Districts Zoning By-law No. 24982 (Marshalling Yard Employment District). |
| By-law No. 948-1998 | To amend Scarborough Zoning By-law, the Employment Districts Zoning By-law No. 24982 with respect to the Wexford Employment District. |
| By-law No. 949-1998 | To amend Scarborough Zoning By-law, Zoning By-law No. 10827 with respect to the Highland Creek Community. |
| By-law No. 950-1998 | To amend the Dorset Park Community Zoning By-law No. 9508, as amended. |
| By-law No. 951-1998 | To amend Scarborough Zoning By-laws, the Employment Districts Zoning By-law No. 24982 with respect to the Knob Hill Employment District and Zoning By-law No. 10048, with respect to the Eglinton Community By-law. |
| By-law No. 952-1998 | To remove a Site Plan Control Area (Woburn Community). |
| By-law No. 953-1998 | To designate certain lands on a registered plan not subject to Part-Lot Control (Re: 366 Rogers Road and 50-100 Bronoco Avenue). |
| By-law No. 954-1998 | To lay out and dedicate for public highway purposes certain land to form part of Lower Portland Street. |

- By-law No. 955-1998 To lay out and dedicate for public lane purposes certain land north of Wellington Street West, extending easterly from Blue Jays Way.
- By-law No. 956-1998 To lay out and dedicate for public lane purposes certain land to form part of the public lane north of Harbord Street, extending easterly from Robert Street.
- By-law No. 957-1998 To lay out and dedicate for public lane purposes certain land to form part of the public lane west of Sherbourne Street, extending southerly from Richmond Street East.
- By-law No. 958-1998 To lay out and dedicate for public lane purposes certain land to form part of the public lane west of Sherbourne Street, extending southerly from Richmond Street East.
- By-law No. 959-1998 To lay out and dedicate certain land for public highway purposes and to name that land to form part of Bremner Boulevard.
- By-law No. 960-1998 To provide for the levy and collection of 1999 interim realty taxes and penalties for non-payment thereof.
- By-law No. 961-1998 To lay out and dedicate for public highway purposes certain land extending southerly and westerly from Queen Street East, opposite Kingston Road, to form part of Eastern Avenue; to assume certain land, identified as Eastern Avenue, laid out and dedicated by Plan 66M-2311, for public highway purposes, to form part of Eastern Avenue; and to assume certain land, identified as Block 151, laid out and dedicated by Plan 66M-2311, for public highway purposes to form part of Queen Street East.
- By-law No. 962-1998 To lay out and dedicate for public lane purposes certain land to form part of the public lane north of Queen Street West, extending westerly from Beaconsfield Avenue.
- By-law No. 963-1998 To lay out and dedicate for public lane purposes certain land to form part of the public lane north of Davenport Road, extending easterly from the lane east of Avenue Road.
- By-law No. 964-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bremner Boulevard.

- By-law No. 965-1998 To amend By-Law No. 472-1998, being a by-law To Phase-in 1998 Assessment-Related Tax Increases and Decreases for the Residential Property Class”.
- By-law No. 966-1998 To exclude Certain Properties from the Application of By-law No. 472-1998, being a By-law “To Phase-in 1998 Assessment-Related Tax Increases and Decreases for the Residential Property Class”.
- By-law No. 967-1998 To amend further Metropolitan Toronto By-law No. 20-85, a by-law “Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area”, a by-law of the former Municipality of Metropolitan Toronto.
- By-law No. 968-1998 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- By-law No. 969-1998 To amend the Etobicoke Municipal Code with respect to Parking - Chapter 183, Article V.
- By-law No. 970-1998 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- By-law No. 971-1998 To amend the Etobicoke Municipal Code with respect to Parking - Chapter 183, Article V.
- By-law No. 972-1998 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- By-law No. 973-1998 To amend further Metropolitan Toronto By-law No. 20-85, a by-law “Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area”, a by-law of the former Municipality of Metropolitan Toronto,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chow, Davis, Duguid, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Tzekas, Walker - 42.

Nay: Nil.

Decided in the affirmative, without dissent.

2150 **Clause No. 5 of Report No. 7 of The Economic Development Committee, headed "Other Items Considered by the Committee".**

Upon the question of the receipt for information of the foregoing Clause, without amendment, it was carried.

2151 At this point in the proceedings, Councillor Jakobek moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 11:45 p.m. recess, and that Council continue in session until 12:15 a.m., the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Balkissoon, Berardinetti, Bossons, Davis, Duguid, Fotinos, Giansante, Holyday, Jakobek, Jones, Kelly, Korwin-Kuczynski, Mihevc, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Rae, Saundercook, Shaw, Silva - 25.

Nays: Councillors: Ashton, Augimeri, Bussin, Chong, Chow, Flint, Kinahan, Layton, Lindsay Luby, Li Preti, McConnell, Pantalone, Prue, Sgro, Shiner, Tzekas, Walker - 17.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

2152 At this point in the proceedings, Councillor Jakobek moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 11:45 p.m. recess, in order to conclude consideration of Clause No. 24 of Report No. 26 of The Strategic Policies and Priorities Committee, headed "Court Ordered Recount in Scarborough Malvern - Ward 18", the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Chong, Chow, Davis, Duguid, Flint, Fotinos, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 38.

Nays: Councillors: Giansante, Lindsay Luby, Moeser - 3.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

2153 **Clause No. 1 of Report No. 15 of The York Community Council, headed “Reinstatement of Parking Meters on the South Side of Eglinton Avenue West in the Cedarvale Area, Ward 28, York Eglinton”.**

Council also had before it, during consideration of the foregoing Clause, the following communications and report:

- (i) (December 14, 1998) from Ms. Joan Doiron and Ms. Helen Hansen, Feet on the Street, in support of parking on the south side of Eglinton Avenue West in the Upper Village Business Improvement Area;
- (ii) (December 14, 1998) from Mr. Alex Ling, President, Toronto Association of Business Improvement Areas, in support of parking on the south side of Eglinton Avenue West in the Upper Village Business Improvement Area; and
- (iii) (December 16, 1998) from the General Manager, Transportation Services Division, Works and Emergency Services reporting, as requested, on the issue of parking on the south side of Eglinton Avenue West, between Strathearn Road and Rostrevor Road, and on local residential streets in the Cedarvale Community.

Having regard that the foregoing Clause was submitted without recommendation, Councillor Saundercook moved that Council adopt the following recommendation:

“It is recommended that:

- (1) the report dated November 27, 1998, from the Managing Director, Economic Development, be adopted, subject to appropriate turn restrictions to be recommended to City Council by York Community Council for implementation between Strathearn Road and Peveril Hill Road; and
- (2) the installation of the parking meters and the implementation of the turn restrictions take place simultaneously.”

Upon the question of the adoption of the foregoing motion by Councillor Saundercook, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2154 At this point in the proceedings, and with the permission of Council, Councillor Moscoe moved that Minute No. 1436 from the July 29, 30 and 31, 1998 meeting of Council pertaining to Clause No. 1 of Report No. 11 of The Corporate Services Committee, headed “Acquisition and Disposal of Real Property”, be confirmed, which was carried.

2155 **Clause No. 5 of Report No. 15 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Objectives and Principles of Office and Civic Space Consolidation Project”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by:

- (1) adding the following additional principles to those embodied in the report dated December 2, 1998, from the Commissioner of Corporate Services:

“(j) the provision of space for community use will continue to be made a high priority; and

(k) the provision of public space for community use will be considered in the City’s program of space consolidation.”; and

- (2) adding thereto the following:

“It is further recommended that the City of Toronto work co-operatively with the Toronto District School Board in its civic and space consolidation, with a view to co-ordinating space consolidation in ways that may be mutually beneficial, including the exchange of space and properties where merited.”

Upon the question of the adoption of the foregoing motion by Councillor Moscoe, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2156 **Clause No. 24 of Report No. 26 of The Strategic Policies and Priorities Committee, headed “Court Ordered Recount in Scarborough Malvern - Ward 18”.**

At this point in the proceedings, Councillor Jakobek, with the permission of Council, moved that, in accordance with subsection 37(e) of the Council Procedural By-law, the vote be now taken, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Berardinetti, Bossons, Brown, Bussin, Chong, Flint, Fotinos, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Mihevc, Nunziata, Ootes, Pitfield, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 30.

Nays: Councillors: Ashton, Chow, Duguid, Giansante, Holyday, Layton, Moscoe, Prue, Tzekas - 9.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Berardinetti, in amendment, moved that the foregoing Clause be amended by striking out Recommendations Nos. (1) and (3) of the Strategic Policies and Priorities Committee and inserting in lieu thereof the following:

- “(1) given the error in the City Clerk’s Department during the 1997 election, Council recognize that it is in the public interest to direct appropriate City staff to pay the legal costs for both candidates involved in the court ordered recount in Ward 18, and staff be authorized to pay the appropriate solicitors in this regard; and
- (3) the City Solicitor be authorized to make the necessary application for special legislation to amend the Municipal Elections Act.”

Upon the question of the adoption of the foregoing motion by Councillor Berardinetti, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Duguid, Flint, Fotinos, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shaw, Silva, Tzekas, Walker - 37.

Nays: Councillors: Giansante, Holyday, Lindsay Luby, Prue - 4.

Decided in the affirmative by a majority of 33.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

2157 At this point in the proceedings, Deputy Mayor Ootes proposed to Council that consideration of the following matters remaining on the Order Paper for this meeting of Council be deferred to the next regular meeting of City Council scheduled to be held on February 2, 3 and 4, 1999:

Enquiry dated November 20, 1998, from Councillor Blake F. Kinahan, Lakeshore Queensway, addressed to the City Clerk, together with the Answer thereto dated December 14, 1998, from the Commissioner of Corporate Services, addressed to the City Clerk.

REPORT NO. 26 OF THE STRATEGIC POLICIES AND PRIORITIES COMMITTEE

- Clause No. 28 - "September 30, 1998, Operating Budget Variance Report and Surplus Analysis".

REPORT NO. 14 OF THE ETOBICOKE COMMUNITY COUNCIL

- Clause No. 7 - "Application for Amendment to the Etobicoke Zoning Code, Zanini Developments Inc., 112 Evans Avenue and 801 Oxford Street - File No. Z-2268 - Ward 2, Lakeshore-Queensway".

REPORT NO. 16 OF THE TORONTO COMMUNITY COUNCIL

- Clause No. 62 - "Possible Precedents for Permitting Vending Within 25 Metres of Business Selling Similar Products (All Wards Within the Former City of Toronto)".

REPORT NO. 15 OF THE SPECIAL COMMITTEE TO REVIEW THE FINAL REPORT OF THE TORONTO TRANSITION TEAM

- Clause No. 6 - "Council Legislative Process Review - Deputations at Committee Meetings".
- Clause No. 7 - "Creation of No-Smoking Area, Glass House, City Hall, Ward 24".

NOTICE OF MOTION

Moved by Councillor Sgro, seconded by Councillor Ootes, respecting commitments to expenditures in the 1999 Operating Budget.

Council concurred in the foregoing proposal.

- 2158 Councillor Moscoe, seconded by Councillor Fotinos, at 11:53 p.m., moved that leave be granted to introduce:

Bill No. 975 To confirm the proceedings of the Council at its meeting held on the 16th and 17th days of December, 1998,

which was carried.

Upon the question, "Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?", as follows:

By-law No. 974-1998 To confirm the proceedings of the Council at its meeting held on the 16th and 17th days of December, 1998,

the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Brown, Bussin, Chong, Davis, Duguid, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 41.

Nay: Nil.

Decided in the affirmative, without dissent.

Council adjourned at 11:56 p.m.

MEL LASTMAN,
Mayor

NOVINA WONG,
City Clerk

Attachment No. 1

(Report dated December 14, 1998, from the Chief Financial Officer and Treasurer, entitled
“Issuance Of Debentures” - See Minute No. 2035.)

Purpose:

This report requests that the necessary Bills be introduced in Council at its meeting on December 16, 1998 to give effect to the issuance of debentures.

Funding Sources, Financial Implications and Impact Statement:

The level of debt issuance undertaken, \$250 million on December 2, 1998 in the Canadian dollar domestic market, is required to finance previously approved capital expenditures of the City of Toronto. The debt charges associated with this issue have been included in the 1998 operating budget of the City and will be included in the 1999 budget.

Recommendations:

It is recommended that:

- (1) authority be granted for the introduction of the necessary Bills in Council on December 16, 1998, to give effect to the issuance of debentures: and
- (2) the appropriate officials be authorized to take the necessary actions to give effect thereto.

Council Reference/Background:

By-law No.13-1998, as adopted by Toronto City Council on January 6, 1998, authorizes the Mayor and Treasurer to enter into agreements for the issue and sale of debentures during the year 1998 to provide an aggregate amount not exceeding \$400,000,000 for purposes of the City of Toronto, any former area municipality, the former Municipality of Metropolitan Toronto, and a board of education.

Any such agreement must be reported to Council not later than the second regular meeting of Council after the agreement is signed and Council is required to pass all necessary money by-laws required to carry out the agreement.

Comments/Discussion:

Acting in accordance with the aforementioned authorities and the unanimous advice of our fiscal agents (CIBC Wood Gundy Securities Inc., RBC Dominion Securities Inc. and ScotiaMcLeod Inc.), the Mayor and I have completed negotiations on December 2, 1998 for a public issue of debentures in the Canadian domestic market.

This transaction was the City's first debenture issue in 1998 and received an excellent reception in a strong and robust market. The debentures for a total par value of \$250 million with \$125 million being offered for sale to the public with a 10 year maturity and \$125 million with a 20 year maturity. The debentures were issued with an interest coupon of 5.15 per cent. for a ten year term and 5.60 per cent. for the 20 year term with competitive and narrower margins over the Government of Canada benchmark bonds. Due to varying capital market conditions, it is difficult to attribute this improvement solely to either the City's enhanced reputation in the financial markets or an overall tightening of new issue spreads. It would appear that both factors were jointly responsible for these savings. On an historical basis, it is interesting to note that the last Metro debenture with an interest rate in this range had not been issued since 1965.

Since the total issue size exceeds \$100 million, the City was able to achieve commission savings by negotiating lower rates with the syndicate which are comparable with the Province of Ontario. The structure and pricing of the transaction represented the lowest cost of funds available relative to other potential structures, markets and currencies as provided by legislation.

Delivery of the debentures and the receipt of proceeds will occur on December 18, 1998. The issue will be book-based only with no physical certificates as were previous debenture issues. This process continues to generate savings related to the printing, registration and distribution of the securities.

Conclusion:

As the capital projects to be financed with the proceeds of this issue were previously approved by the councils of the former municipalities and Metropolitan Toronto and the City of Toronto from January 1, 1998, it is now appropriate to approve the issuance of debentures to permanently finance these undertakings.

Contact Names:

Len Brittain 392-5840
Martin Willschick 392-8072

Attachment No. 2

(Communication dated November 24, 1998, from the City Clerk, entitled "Ontario Hydro Stranded Debt and Sustainable Energy" - See Minute No. 2093.)

The Environmental Task Force at its meeting of November 23, 1998, considered the attached report dated November 4, 1998, from the Executive Director, Technical Services, Works and Emergency Services, regarding the implications of the estimated stranded debt of Ontario Hydro to the future of sustainable energy in the City of Toronto and to recommend an incremental approach to resolving this issue.

The Environmental Task Force directed that the following recommendations, as adopted at its meeting of November 23, 1998, be forwarded to City Council for consideration:

“It is recommended that:

- (1) City Council express its concern at the high stranded debt approach being adopted by the Province; as this approach seriously compromises environmentally advantageous energy supply sources such as renewables;
- (2) City Council advise the Province that it favours the lowest possible estimate of ‘stranded debt’ to establish fairness and enable a more equal playing field for competition;
- (3) the Legal Division be requested to investigate actions taken by cities and consumer groups concerning high stranded debt approaches in the United States of America and report back to the Environmental Task Force; and
- (4) City Council express its support for a Renewable Energy Portfolio Standard.”

(Report dated November 4, 1998, from the Executive Director, Technical Services, Works and Emergency Services, entitled “Ontario Hydro Stranded Debt and Sustainable Energy”, referred to above.)

Introduction:

The purpose of this report is to discuss the implications of the estimated stranded debt of Ontario Hydro to the future of sustainable energy in the City of Toronto and to recommend an incremental approach to resolving the issue.

The Environmental Task Force, at its September meeting, considered reports linking air quality and energy issues. It was noted that the development of sustainable and efficient energy options in the City of Toronto would be impacted by the stranded debt issue. Subsequently, Councillor Layton, Chair, Environmental Task Force, requested a report from staff.

Comments:

Stranded debt is defined as the existing debt that can not be serviced by the successor companies of Ontario Hydro competing in a future deregulated electricity market.

Past estimates of the stranded debt have fallen in a broad range from 10 to 30 billion dollars. The broad range is an indication of the difficulty in forecasting the true value of the stranded debt. The reason is that market reaction is difficult to predict with success.

Adopting a lower estimate of the value of existing generating facilities makes the estimate of stranded debt higher. This is because the amount of the existing outstanding debt that can be carried by a generating facility is limited by the estimated capital value of the generating facility.

Conversely, adopting a higher estimate of the value of existing generating facilities makes the estimate of the stranded debt lower. A lower stranded debt means a lower surcharge that all power users would have to pay. Works facilities have a significant electricity bill (\$34 million in 1996) which would be impacted by a surcharge.

On October 26, 1998, the Ministry of Finance published a new estimate of the stranded debt of Ontario Hydro. It was developed by a consultant to the Ministry of Finance, an investment banker from Goldman Sachs and Co. in New York. He based it on the premise that the nuclear facilities would have almost no market value.

Ontario Hydro is proposed to be broken into three successor companies: Servco (transmission), Genco (generation) and an Independent Market Operator (IMO). Genco would assume operation of all existing water-based (hydro), nuclear and fossil generating stations of Ontario Hydro.

Ontario Hydro currently has debts and other liabilities of \$39.1 billion. In the announcement by the Ministry of Finance on October 26, 1998, the three successor companies are estimated to be worth \$15.8 billion, much less than the outstanding debt. The difference of \$23.3 billion is considered by the Ministry of Finance to be stranded debt.

Ontario Hydro valued the nuclear stations at \$18.5 billion based in part on the revenue generated by them, but the consultant to the Ministry of Finance estimates the value of them may approach zero on the open market. The range from an estimated value of \$18.5 billion to an estimated value of zero is very wide and has major implications for Ontario taxpayers in Toronto.

The consultant estimates that the entire generating company to be known as Genco including hydro, fossil and nuclear facilities would be worth only 5 billion dollars. Non government organizations such as Energy Probe are quoted as saying that estimate is too low to be credible. Energy Probe estimates that the fossil fuelled and hydro electric stations alone are worth \$12 billion.

The difficulty in arriving at a true value of stranded debt arises from the requirement to predict the behaviour of the future markets successfully - markets for electricity and markets for the sale of generating facilities.

If the adopted stranded debt estimate is higher than the true value of the stranded debt, then the successor companies will gain an unfair advantage in the future market because they will have to service a lower debt remaining on their books and will be able to charge less for their power. Charging less for their power will make it more difficult for their competitors including emerging renewable energy suppliers.

Their competitors include landfill methane to electricity projects, local cogeneration projects, renewable energy projects such as wind, solar and biomass power projects. These are examples of sustainable energy projects which would be harmed by too high an estimate of the stranded debt.

Landfill methane to electricity generates over two million dollars in revenue to the City of Toronto each year. This revenue stream could be at risk if too high an estimate of the stranded debt figure is adopted by the Government of Ontario.

Deciding on a final estimate of the stranded debt before competition begins, requires successful prediction of future market behavior. This would be very difficult to accomplish. Perhaps a better way to handle the issue is to adopt the lower estimate of stranded debt initially and then to monitor power sales from the existing Ontario Hydro generators in the initial months of a deregulated market. If power sales from existing Ontario Hydro generators drop more than expected then the estimate of the stranded debt can be revised upwards in small increments.

The consultant to the Ministry of Finance has suggested that the nuclear facilities of Ontario Hydro may have almost no market value. This is perhaps an estimate that merits a review. The only way of assessing true value is to compare formal bids. British Energy has reportedly expressed interest in bidding. Other major power companies are, no doubt, interested too. In the best interest of the Ontario taxpayer, this area needs some further research. The proposition that the nuclear facilities of Ontario Hydro have little or no market value would mean an overestimation of the stranded debt which, in turn, would disadvantage sustainable energy alternatives in the future electricity market.

It is premature to settle on the final stranded debt estimate before commencement of competition. It is preferable to underestimate the stranded debt at the outset of the deregulated power market and monitor power sales. If it turns out that the existing Ontario Hydro generators are having difficulty selling power, then the government can, at a future appropriate time, consider applying a residual stranded debt surcharge on all power sales.

This suggested alternative course of action is considered prudent at this time particularly in view of the experience in California. The California power market was deregulated some years ago and the debt surcharge was placed at 45 percent. There is a rising public concern now to remove the surcharge altogether. Members of the public are concerned that the debt surcharge was placed too high in California. Further information is available by visiting the web page:

www.nonukebailout.org.

Ontario can avoid this situation by taking a gradual approach to the stranded debt issue to the benefit of ratepayers in Toronto and other municipalities in the province.

Conclusion:

The Ontario Government should proceed with caution on the final estimate of the stranded debt before commencement of a competitive electricity market. Instead the Government could, initially, assume a higher value of existing generating stations and adopt a lower estimate of the stranded debt than proposed by the consultant to the Ministry of Finance. Then the government should monitor the market for electricity from existing Ontario Hydro generating stations, with them shouldering as much of the outstanding existing debt as possible. If too much electricity from existing stations remains unsold and revenues fall below the existing debt servicing level, then a debt surcharge could be considered.

It would result in a fair and level playing field for sustainable energy alternatives.

Contact Name:

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Attachment No. 3

(Report dated December 8, 1998, from the Commissioner of Urban Planning and Development Services, entitled “Yonge Dundas Redevelopment Project: Retention of Design Services for Dundas Square, Downtown (Ward 24)” - See Minute No. 2095.)

Purpose:

To update City Council with respect to the design competition jury’s selection of Brown and Storey Architects and authorize their retention for design services of Dundas Square.

Source of Funds:

Funding for Dundas Square design fees in the amount not to exceed \$250,000.00, including GST and disbursements is included in the previously approved overall project funding Account No. 216692 (Report No. 10, Clause No. 26 of Strategic Policies and Priorities Committee, adopted as amended, City Council July 8, 9 and 10, 1998).

Recommendations:

It is recommended that:

- (1) The consulting team of Brown and Storey Architects, be engaged for the purposes of providing design services for the development of Dundas Square, as set out in this report at an upset fee of \$250,000.00, including GST and disbursements; and
- (2) The appropriate City Officials be authorized to take whatever action is necessary to implement the foregoing, including the preparation of an agreement, satisfactory to the

Commissioners of Corporate Services, Urban Planning and Development Services and the City Solicitor.

Background:

At its meeting of November 25, 26 and 27, 1998, City Council adopted Corporate Services Committee Report No. 17, Clause 16, which among other matters, requested that the Commissioner of Urban Planning and Development Services report directly to City Council at its meeting to be held December 16, 1998, for appropriate authorizations to contract with the winning team selected from the design competition for Dundas Square.

A two-stage design competition for Dundas Square (approved by the former City of Toronto Council on August 21, 1997, Report 19, Clause 15 of the former Executive Committee) was announced on September 9, 1998. 48 proposals were submitted in Stage One and six teams were short listed to prepare design proposals. The competition was overseen by a professional advisor and consultations were held with a Community Committee and a Technical Advisory Committee and a Safety Focus Group.

On December 1, 1998, a five-member international jury selected the team of Brown and Storey Architects as designers for the new space. The jury was impressed with the calibre of all the teams participating in the competition and the quality of the proposals submitted.

Conclusions:

In order to expedite the design process and coordinate the production of construction documents with the Toronto Parking Authority's project schedule, it is necessary that the Dundas Square consultant team be retained immediately. The consultant team will provide all necessary consulting services including, but not limited to: architectural, landscape, artistic, structural, mechanical, electrical and estimating services required for the construction of the new square, to the satisfaction of the Commissioners of Corporate Services and Urban Planning and Development Services.

Contact Name:

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Civic Improvement, Urban Design
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E-Mail: alukatel@city.toronto.on.ca

(Report dated December 14, 1998, from the Commissioner, Economic Development, Culture and Tourism, entitled "Renewal of Licence Agreement with Jane-Wilson Towers - Chalkfarm Community Centre" - See Minute No. 2097.)

Purpose:

The purpose of the report is to request Council's approval of an extension of the licence agreement with Jane-Wilson Towers with respect to Chalkfarm Community Centre.

Source of Funds:

The funds to pay the nominal sum of two dollars and the contracted cleaning at \$31,000/year are presently in the Parks and Recreation current budget.

Recommendations:

It is recommended that:

- (1) the current lease agreement between the City of Toronto and Jane-Wilson Towers, be extended for a period of eighteen months (January 1, 1999 to July 1, 2000), subject to all existing terms and conditions; and
- (2) the General Manager of Parks and Recreation, the City Solicitor, and the City Clerk, be authorized to carry out all things necessary thereto.

Background/History:

The Chalkfarm Recreation Centre, located near Jane Street and Highway #401, serves a high rise complex of 2000 units as well as single family dwellings. The resident profile is mainly low income, ethno-culturally diverse, and with many single parent families.

Residents in the Chalkfarm community advocated for Parks and Recreation to deliver services in their neighbourhood. The Recreation Centre, belonging to Jane-Wilson Towers Ltd., was not accessible to homeowners and other tenants in the area, and no other community centre space was available within a convenient radius of their neighbourhood. Through North York Council Resolution 90-13, the City of North York entered into a lease agreement to occupy the Recreation Centre in order to provide up to thirty-five hours of recreation programs and services to the community. The programming includes a range of activities for the entire family with special emphasis on children and youth. Programs have consistently operated near capacity.

Four years ago, the Chalkfarm Community and Family Centre, a community based organization, joined Parks and Recreation staff at Chalkfarm to support a range of residents' needs. That partnership has continued and the community group (now called Doorsteps) is delivering services and developing new partners to enhance community and individual well-being.

Comments/Discussion/Justification:

The community's need for recreation space and programs has continued to grow. The Chalkfarm Community Centre provides the City with a short-term and cost effective alternative to capital development. The facilities are limited - a small gym, weight room, multipurpose room, and meeting room. However, along with the use of local schools, residents are provided with a range of recreation opportunities. This service plan makes sense for the City and the community. We are presently conducting a Recreation Needs Assessment and Feasibility Study for the west end of North District with an anticipated completion in the spring 1999. Recommendations arising from that study would not be placed before Council until fall 1999. Continuation of the current arrangement will provide for services until a longer term plan is approved.

Conclusions:

The Chalkfarm community has benefitted greatly from Parks and Recreation services. Continued delivery of recreation programs for families and support for the Chalkfarm Community and Family Centre at the current level for another year, will contribute to a successful transition mechanism for future community recreation services.

Contact Name:

William Channing
Manager - North Region
Parks and Recreation
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E-mail: bchannin@city.north-york.on.ca

Attachment No. 5

(Report dated December 16, 1998, from the Commissioner of Corporate Services,
entitled "23 Fraser Avenue - Sale of City-owned Property (Ward 20-Trinity Niagara)" -
See Minute No. 2100.)

Purpose:

To advise City Council on the findings of the environmental assessment undertaken by the Purchaser's consultant as part of its due diligence and the results of the ensuing discussions with the Purchaser, 1294539 Ontario Inc. on its request for an extension of the due diligence period and a reduction of the purchase price to reflect the environmental condition of the property.

Funding of Sources, Financial Implications and Impact Statement:

The Purchaser's request, if approved, will result in a reduction of \$450,000.00 from the original purchase price of \$1,200,000.00. Alternatively, if Council elects to re-market the property on an "as is" basis, an environmental assessment of the property will be obtained. Funds up to \$15,000.00 for this purpose are available in Fund Code 216397.

Recommendation:

It is recommended that:

- (1) City Council reject the request from the Purchaser, 1294539 Ontario Inc., to extend the due diligence period to January 15, 1999 and to reduce the purchase price from \$1,200,000.00 to \$750,000.00 to allow for the cost of remediation as a result of the Purchaser's due diligence investigation; and
- (2) if the Purchaser terminates the Agreement of Purchase and Sale pursuant to the right to do so prior to the expiry of the due diligence period, City Council direct the Commissioner of Corporate Services to have an environmental assessment of the property completed at the City's own cost, and to have the existing broker, Torode Realty Ltd, re-market the property on an "as is" basis.

Background:

23 Fraser Avenue is improved with a tenanted 2-storey commercial building with fully operational film studios and associated office space. Title to the property was vested in the City in 1996 as a result of tax default by the previous owner.

The property was recently marketed by the City, through its real estate broker, Torode Realty Ltd. Three offers were received:

- (1) 1294539 Ontario Inc. - \$1,050,000.00
- (2) Alliance Rockliffe Limited - \$1,250,000.00 subject to the City giving vacant possession.
- (3) Herzim Management Limited, in trust for a company to be incorporated - \$700,000.00

Offers (1) and (3) were below the appraised market value on a "clean site" basis while Offer (2) was subject to unacceptable conditions. The prospective purchasers were requested to re-submit their best offers. However, only two of the prospective purchasers did so as follows:

- (i) 1294539 Ontario Inc. increased its offer from \$1,050,000.00 to \$1,200,000.00.
- (ii) Herzim Management Limited, in trust for a company to be incorporated, increased its offer to \$800,000.00.

Both these offers provided the purchasers with a due diligence period for environmental investigation.

City Council at its meeting on October 1 and 2, 1998, considered Clause 14, Report No. 13 of the Corporate Services Committee and the report (September 21, 1998) from the Commissioner of Corporate Services on the sale of this property. City Council adopted the Clause, as amended to

include the recommendations contained in the September 21, 1998 report from the Commissioner of Corporate Services, thereby approving acceptance of the Offer to Purchase from 1294539 Ontario Inc. at a price of \$1,200,000.00.

Comments:

By letter dated October 22, 1998, Mr. Robert Richards, former President of 1294539 Ontario Inc., advised that effective immediately Mr. Collin Craig was the new President of 1294539 Ontario Inc. Mr. Craig, who is a Director of Alliance Rockcliffe Limited, advises that Alliance Rockcliffe recently acquired the majority interest in 1294539 Ontario Inc.

Current Status - Agreement of Purchase and Sale:

Following the Council decision of October 1 and 2, 1998, the City executed the Agreement of Purchase and Sale (the "Agreement") between the City as the Vendor and 1294539 Ontario Inc. as the Purchaser. The Agreement provides the Purchaser with the right to conduct an environmental assessment during a 60-day due diligence period expiring December 15, 1998. If the results of the assessment indicate that the property does not meet the criteria required for the use of the property for Industrial/Commercial purposes pursuant to the Ministry of Environment & Energy's current guidelines for the decommissioning and cleanup of sites in Ontario, the Purchaser is entitled to terminate the Agreement and the \$60,000.00 deposit currently held by Torode Realty Ltd is to be returned to the Purchaser. Given the results of the Purchaser's environmental assessment, the due diligence period was extended to December 22, 1998, at the request of the Purchaser, to enable staff to report to Council on the status of this matter and to advise the Purchaser of Council's decision.

Results of Environmental Assessment:

An environmental assessment was completed for the purchaser by Fisher Associates Environmental Engineers. The consultant found contaminants in the soil including metals, petroleum hydrocarbons and possibly a buried railcar tanker, and came up with an estimated cost of remediation of \$500,000.00. An additional \$200,000.00 has been estimated by the Purchaser for the costs of demolition and rebuilding required to enable the environmental remediation. With the Purchaser's permission, staff have discussed the environmental assessment with the Purchaser's consultant. It was agreed that the metals in the soil are not a concern for Industrial/Commercial use of the property; however, the petroleum hydrocarbons do require remediation regardless of the proposed use of the building. The consultant's estimate for dealing with the petroleum hydrocarbons is approximately \$63,000.00. There are also contingent liabilities to the Purchaser from potential contamination sources such as the possible buried railcar tanker, and the Purchaser is concerned about potential migration of contaminants from this site to adjacent properties. Another factor impacting the property is that some lenders might require the removal of metals from the soil as a condition of providing financing, thereby adding to the cost of remediation.

In its letter dated December 15, 1998, the Purchaser's solicitor has put forward a proposal for a price reduction of \$450,000.00 provided the Purchaser is satisfied with the results of further environmental investigation to be conducted at its own cost. The purpose of this additional environmental investigation is to confirm whether or not a buried railcar tanker exists. If so, there

would be additional cost to be incurred. As well, the additional investigation would confirm whether or not there is migration of contaminants to adjoining properties, as the Purchaser is unwilling to accept the property if the migration does exist. To enable the extra environmental investigation, the Purchaser has requested that the due diligence period be further extended to January 15, 1999.

Options Available to the City:

Two Options are available to the City.

Option (a) - Reject the Purchaser's request and, if the Purchaser terminates the Agreement pursuant to the right to do so prior to the expiry of the due diligence period, re-market the property.

Comments: If Council rejects the Purchaser's request, and the Purchaser terminates the Agreement prior to the expiry of the due diligence period, the deposit would be returned to the Purchaser and the City would be free to re-market this property. To avoid future closing delays arising out of environmental issues raised by a prospective purchaser, it would be preferable to re-market the property on an "as is" basis with the prospective purchaser completing any necessary due diligence prior to submission of a binding offer to the City. To assist the prospective purchaser in determining if it wishes to purchase the property, the City should complete an environmental assessment at its own cost prior to re-marketing the property. Details or findings of the environmental assessment would then be made available to the prospective purchaser upon request.

The City's listing Broker, in his letter dated December 15, 1998, is of the opinion that should the City re-market this property on an "as is" basis, the probable selling price would be in the range of \$800,000.00 to \$1,000,000.00 with the purchaser having full knowledge of environmental conditions.

Option (b) - Accept the Purchaser's request to extend the due diligence period to January 15, 1999 and reduce the purchase price from \$1,200,000.00 to \$750,000.00.

Comments: If Council approves this option, the Agreement will be amended to incorporate these changes. The Purchaser would then have until January 15, 1999 to complete its due diligence. If it is satisfied with the results thereof, the closing will occur within 15-45 days thereafter. If it is not satisfied with the results thereof and gives notice of termination on or before January 15, 1999, the \$60,000.00 deposit will be refunded. No further negotiations with the Purchaser are contemplated under this option and the City would then re-market the property as set out in Option (a).

Conclusion:

The reduction in sale price from \$1,200,000.00 to \$750,000.00 is considered to be excessive given the extent of environmental concerns raised to date. The quantum of the appropriate reduction

would be best determined by re-marketing the property with all environmental conditions disclosed. It is recommended that City Council reject the Purchaser's request and give approval to re-market the property through the existing broker, Torode Realty Ltd, assuming the Purchaser terminates the Agreement. In that event, an environmental assessment at a cost of up to \$15,000.00 for the purpose of re-marketing the property on an "as is" basis will be obtained.

Contact Name:

Ting Ng, Telephone - 392-1857, Fax - 392-1880, E-mail - tng@city.toronto.on.ca

Attachment No. 6

(Report dated December 15, 1998, from the Commissioner of Urban Planning and Development Services, entitled "1 Weston Road, Application No. 998087: Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, upon application by Pattison Outdoor, 2345 Yonge Street, 5th Floor, Toronto, Ontario, M4P 2E5 on behalf of Inland Corporation/1268912 Ontario Inc., 155 University Avenue, Suite 1240, Toronto, Ontario, M5H 3B7. (Davenport)" - See Minute No. 2103.)

Purpose:

To review and make recommendations respecting an application for variances to install three illuminated ground signs for third party advertising at 1 Weston Road.

Source of Funds:

Not applicable.

Recommendations:

- (1) that City Council approve Application No. 998087 respecting minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to install three illuminated ground signs for third party advertising on the east side of the property on condition that:
 - (i) the four existing third party ground signs be removed prior to the issuance of a sign permit for the new illuminated ground signs; and
 - (ii) no other third party advertising signs be permitted on the property; and
- (2) that the applicant be advised, upon approval of Application No. 998087, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.

Comments:

The property is located on the northeast corner of St. Clair Avenue West and Weston Road, and is primarily zoned for mixed industrial-commercial (IC) uses. The lands are currently vacant. A 13,600 square metre “big box retail” commercial development has recently been approved for the site.

The applicant is requesting permission to install three illuminated ground signs for third party advertising on the east side of the property. These signs would abut the rail corridor, and be located in the transportation (T) zoned portion of the property (see Figure 1). The proposed signs each have a length of 12.2 metres and a height of 3.0 metres, with an area of 37 m².

In addition to the three signs that are part of this application, an additional two ground signs, which are permitted under the Municipal Code, will be installed on the site at the northwest and southeast corners of the site. The applicant has also advised that the four existing third party ground signs will be removed as part of this application.

The three illuminated ground signs do not comply with Chapter 297 of the Municipal Code in the following ways:

1. the height of the signs above grade (12.2 metres) exceeds the maximum height of sign permitted of 10 metres by 2.2 metres; and
2. the area of each of the signs (37 m²) exceeds the maximum permitted sign area of 25 m² by 12 m².

The first variance requesting higher signs than permitted is acceptable. By permitting the base of the signs to be 12.2 metres above grade, the applicant wishes to ensure that the signs can be seen above the roof lines of the proposed “big box” retail uses from both Weston Road and St. Clair Avenue West. The retail buildings are proposed to be 8.6 m in height, but Weston Road is situated at a lower elevation than the site. Permitting the extra 2.2 metres in height will ensure uniform visibility.

This particular site is within the “Old Stockyards District”, a former heavy industrial area currently undergoing transition. The City’s land use policies have recently been revised to encourage reinvestment and revitalization by permitting a range of residential and commercial uses while also protecting the existing industrial clusters.

The Municipal Code restricts the size of signs in IC, and I1 areas to a maximum of 25 m². Larger signs, up to 50 m² are permitted in I2 zone districts and signs up to 70 m² are permitted in I3 and I4 districts. The rationale for the smaller size limit in IC and I1 districts is to lessen the visual impact of such signage on the residential neighbourhoods which typically surround these light industrial pockets.

In this case, however, the proposed ground signs are considerably set back from both St Clair Avenue West and Weston Road, and will have minimal visual impact on the nearby residential areas. The removal of four existing ground signs fronting on Weston Road will also be an improvement. I am, therefore recommending approval of the ground signs on condition that the four

existing third party ground signs be removed prior to the issuance of a sign permit and that no other third party signs be permitted on the property

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(a copy of Figure 1 referred to above is on file in the Office of the City Clerk.)

Attachment No. 7

(Report dated November 16, 1998, from the City Solicitor, addressed to the Assessment and Tax Policy Task Force, entitled "Bill 79 - The Fairness for Property Taxpayers Act, 1998"- See Minute No. 2139.)

Purpose:

To provide an overview of the provisions of Bill 79, and to provide information regarding their relevance to the City of Toronto.

Recommendations:

It is recommended that this report be received for information.

Council Reference/Background/History:

Bill 79 (the *Fairness for Property Taxpayers Act, 1998*) was introduced for first reading in the legislature on November 5, 1998. The Ministry of Finance advises that Bill 79 is scheduled for second reading the week of November 23rd, 1998, for committee hearings the week of November 30th, 1998, and for third reading and Royal Assent the week of December 7th, 1998.

Bill 79 further amends the *Assessment Act*, the taxation provisions of the *Municipal Act*, and other legislation. This report is intended to provide an overview of the bill and to highlight issues of relevance to the City of Toronto.

Comments and/or Discussion and/or Justification:

Bill 79 is intended to implement the measures announced by the Minister of Finance on October 23, 1998. In his October 23rd announcement, the Minister stated that "We will introduce legislation that, if passed, would guarantee that no commercial or industrial property owner will face a tax increase related to property tax reform of more than 10 per cent in 1998, and a further 5 per cent in each of 1999 and 2000."

1. Capping:

The objective announced by the Minister is largely achieved by adding a new Part XXII.2 to the *Municipal Act*, which part is divided into three divisions. None of the three divisions of this part of Bill 79 apply to the City of Toronto because City Council adopted the 2.5% cap under the Bill 16 scheme.

Division A requires local municipalities to maintain frozen assessment listings for 1998, 1999, and 2000 for commercial and industrial property. Division B allows an upper-tier or single-tier municipality to opt to cap taxes on commercial and industrial properties for 1998, 1999, and 2000, or any combination of those years. This scheme is similar to the capping provisions under Part XXII.1 of the *Municipal Act* (the capping provisions of Bill 16, the *Small Business and Charities Protection Act*) but differs in that it provides for caps of 10 per cent in 1998 and 5 per cent in each of 1999 and 2000 (the “10-5-5 cap”). Division C provides that, where a municipality has not opted to have Division B apply, any taxes that exceed the maximum (10% increase in 1998, and 5% increase in 1999 and 2000 over the 1997 level-taxes) will be reduced by the excess. This means that a municipality which does not opt for the 10-5-5 cap is still prohibited from increasing taxes on the commercial and industrial property classes beyond the 10-5-5 limits.

The “Backgrounder” document to Bill 79 released by the Ministry indicates that the Minister of Finance intends to introduce an amendment at the Standing Committee to extend the 10-5-5 cap to the multi-residential property class.

2. Application of the 10-5-5 Cap to the City of Toronto:

The 10-5-5 cap under Bill 79 is not available to the City of Toronto because City Council adopted the 2.5% cap under Bill 16.

Bill 79 prohibits the amending of a by-law, enacted prior to Bill 79 coming into force, which adopted the optional capping provisions of Bill 16 (subsection 28(1)). Furthermore, the 10-5-5 cap cannot apply to the commercial or industrial classes in a municipality where the 2.5% cap already applies to those classes (section 37, enacting subsection 447.37 of the *Municipal Act*).

Therefore, as the by-law adopting the 2.5% cap for commercial, industrial, and multi-residential properties in the City of Toronto was passed in July, City Council is precluded from amending the capping by-law and moving to the 10-5-5 capping scheme.

3. Differences between 10-5-5 Cap (Part XXII.2) and the City of Toronto’s Cap (Part XXII.1):

Other than the difference on the cap’s limits (2.5% over three years versus 10% in 1998, and 5% in each of 1999 and 2000), the significant difference between the two schemes is that a municipality which adopts the 10-5-5 cap is permitted to increase the tax rate on the capped property classes if it needs to increase the municipal tax rate.

Under the Bill 16 scheme adopted by City Council, the tax rate cannot be raised on the capped classes during the duration of the three year cap. This is because adjustments can only be made to the 1997-level taxes in respect of “reductions” in taxes for municipal purposes (subsection

447.15(1), paragraph 5). Under the Bill 79 scheme, adjustments can be made in respect of “changes” in such taxes, thereby including both reductions and increases (section 37, enacting subsection 447.47(1), paragraph 5).

Consequently, City Council remains unable to raise the tax rate on the commercial, industrial or multi-residential property classes until the year 2001, and if it needs to raise the tax rate to meet its estimated expenditures for the year 1999 or 2000, it must raise the required revenue solely by increasing the tax rate on the residential property class. Municipalities which avail themselves of the 10-5-5 cap are not similarly restricted.

4. Other Means of Achieving Minister’s Announced Objective:

**(a) Optional Property Classes
(Amendments to Section 2 of the *Assessment Act*):**

The deadline for opting to have the optional property classes apply is extended for 1998 to December 31, 1998 or such later deadline as the Minister may order for the municipality. Similarly, the deadline for 1999 is extended to March 31, 1999 or such later deadline as the Minister may prescribe (subsection 1(2)).

**(b) Setting Tax Ratios
(Amendments to Section 363 of the *Municipal Act*):**

A council which passed a by-law establishing tax ratios for 1998, may, in certain circumstances, pass a by-law establishing new tax ratios for 1998 (subsection 11(4), enacting subsection 363(31) of the *Municipal Act*). Restrictions are imposed on the establishment of tax ratios for 1999 and 2000 (subsection 11(4), enacting subsection 363(32) of the *Municipal Act*). Furthermore, new delegations of the power to set tax ratios to lower tier municipalities are prohibited for 1998, 1999, and 2000.

**(c) Phase-Ins
(Amendments to Section 372 of the *Municipal Act*):**

A phase-in by-law may now be passed on or before December 31, 1998 or such later deadline as the Minister may prescribe (subsection 18(1)).

**(d) Rebates for Commercial or Industrial Properties
(Amendments to Section 442.2 and 366/368 of the *Municipal Act*):**

The council of a municipality, other than a lower-tier municipality, may provide rebates for all or part of the eligible amount on properties in the commercial or industrial property classes by passing a by-law on or before February 1 of the year to which it relates (subsection 23(1)). The deadline for 1998 is extended to December 31, 1998, and can be further extended by regulation (subsection 23(6)). The “eligible amount” is the amount by which the taxes for the year exceed the maximum taxes under Division C, and no rebate may be made where either the 2.5% cap or the 10-5-5 cap are adopted (subsection 23(7)).

Such a rebate by-law is of no effect until the Minister of Finance informs the municipality in writing that the costs of the rebate will be shared by school boards (subsection 23(2)). Any rebate by-law passed prior to Bill 79 coming into force is repealed (subsection 23(6)).

The tax rate on the commercial or industrial property class, as the case may be, shall be raised to fund the rebate of taxes within that class (subsection 13(2) and section 14).

(e) Rebates for Charities
(Amendments to Section 442.1 of the *Municipal Act*)

The amount of rebate required with respect to properties occupied by registered charities to which the 10-5-5 cap applies, shall be determined in accordance with regulations (section 22). However, where commercial or industrial properties occupied by registered charities are subject to the 2.5% cap under the Bill 16 scheme, no rebate is required.

(f) 2.5% Cap under Part XXII.1 of the *Municipal Act*
(Amendments to Section 447.3 - 447. of the *Municipal Act*)

The deadline for passing a by-law to opt-in to the 2.5% cap is extended to December 31, 1998 or such later deadline as the Minister may order for the municipality (subsection 27(2)).

The Minister may make regulations exempting property from the application of Part XXII.1, and such exempt property shall be deemed not to be included in the commercial and industrial property class (subsection 27(4)) Part XXII.1 does not apply to property in the farmland awaiting development subclass (subsection 27(1)).

Other technical amendments are made to the operation of Part XXII.1 in municipalities which have opted for the 2.5% cap. These amendments clarify how adjustments can be made to the frozen assessment listing.

5. 1998 Taxes
(Enacting Sections 368.0.1, 368.0.2 and 368.0.3 of the *Municipal Act*):

Municipalities which, after Bill 79 comes into force, use the optional property classes, tax ratios, graduated tax rates, or rebates under section 442.2, must pass a new 1998 levy by-law (section 15, enacting section 368.0.1 of the *Municipal Act*)

Furthermore, if a new 1998 levy is made, or a by-law is passed relating to the phasing-in of 1998 assessment-related tax changes, the opting in to the 2.5% cap, the opting in to the 10-5-5 cap, the issuance of rebates under section 442.2, or the reduction of excess taxes under Division C of Part XXII.2 of the *Municipal Act*, the municipality may either issue supplementary tax notices for the 1998 taxation year or increase the taxes payable on a tax notice for the 1999 taxation year (section 15, enacting section 368.0.2 of the *Municipal Act*)

The council of a municipality is prohibited from levying tax rates for 1999 before December 31, 1998 or such later date as the Minister may prescribe (section 15, enacting subsection 368.0.3(1), paragraph 1). No council may levy tax rates for 1999 until any obligations to do a new 1998 levy on a property class are satisfied (section 15, enacting subsection 368.0.3(1), paragraph 2).

The prohibition against levying 1999 taxes before December 31, 1998, as it currently reads, would preclude City Council from passing the 1999 interim levy by-law in December. However, staff at the Ministry of Finance advise that an amendment excluding the City of Toronto from the application of this section will be forthcoming prior to City Council's meeting scheduled for December 16, 1998.

6. Other Changes:

**(a) Appeal Deadline:
(Amending sections 35 and 40 of the *Assessment Act*)**

The deadline for complaining to the Assessment Review Board with respect to 1998 taxes under the *Assessment Act*, is extended to December 31, 1998 (sections 7 and 8, amending sections 35 and 40 of the *Assessment Act*).

**(b) Form of Tax Notices
(Amending section 393 of the *Municipal Act*):**

The Minister of Finance may require that tax notices be in a form approved by the Minister, and if such a form is approved, a municipality shall not vary the form unless the variation is expressly authorized by the Minister (section 21, enacting subsection 393.1(1) of the *Municipal Act*). The Minister may further make regulations prescribing the information that must or that may be included on tax notices, and prohibiting other information from being included on the notice without the express authorization of the Minister. The Minister may also make regulations respecting the giving of tax notices (section 21, enacting subsection 393.1(2) of the *Municipal Act*).

**(c) Gross Lease Notices:
(Amending sections 444.1 and 444.2 of the *Municipal Act*)**

Various changes are made to the provisions of the *Municipal Act* which permit landlords to pass on taxes and business improvement area charges to gross lease tenants.

For 1998, instead of giving the two notices required under subsection 444.1(5), a landlord can give a tenant a single notice which must be given by December 15, 1998 (subsection 24(9), enacting subsection 444.1(14.2), paragraph 1)

Provisions are also made to allow for situations where the final tax notices for 1998 have not been delivered prior to November 17, 1998, and to allow for re-billing of tenants if the 1998 taxes are changed due to Bill 79. Similar amendments are made to section 444.2 with respect to passing on business improvement area charges to gross lease tenants.

(d) Assessment Review Board Powers
(Section 8.2 of the *Assessment Review Board Act*)

The *Assessment Review Board Act* is amended to provide that the Board may dismiss a complaint if:

- C it is of the opinion that the proceeding is frivolous or vexatious, is commenced in bad faith or is commenced only for the purpose of delay;
- C it is of the opinion that the reasons set out in the complaint do not disclose any apparent statutory ground on which the Board can make a decision; or
- C the complaint has not responded to a request by the Board for further information within the time specified by the Board (section 38).

(e) Amendments to the Education Act:
(Section 257.12.2. of the *Education Act*)

Various amendments are made to the *Education Act*, including the addition of section 257.12.2 which ensures that tax rates for school purposes for commercial and industrial property will not exceed 3.3 per cent in 2005 and thereafter. In a municipality where the tax rates for school purposes before 2005 exceed 3.3%, this section also provides for regular annual reductions in those tax rates. This section applies to all municipalities including the City of Toronto.

Conclusions:

Many of the amendments made by Bill 79 do not apply to the City of Toronto because City Council passed a by-law in July adopting the 2.5% cap on the commercial, industrial and multi-residential property classes pursuant to Part XXII.1 of the *Municipal Act*, as enacted by the *Small Business and Charities Protection Act* (Bill 16). This by-law cannot be amended, and the City of Toronto is consequently precluded from adopting the 10-5-5 cap pursuant to Bill 79.

The City of Toronto is also precluded from raising the tax rate on any of the capped classes, and must raise the rate on the residential class should it require additional revenue in 1999 or 2000 to meet its estimated expenditures. While any other municipality opting for the 2.5% cap faces the same restrictions, all municipalities other than the City of Toronto have the option of choosing instead the 10-5-5 cap and thereby not facing such restrictions.

Contact Name:

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entitled "Councillor Adams' Motion of November 20, 1998".)

Purpose:

To report on Councillor Adams' motion on requesting the Province to enact legislation or amend the "Fairness for Property Taxpayer, 1998" - Bill 79 to permit the City to increase tax rate on the capped property classes so that the City is treated equally with other municipalities that adopt capping.

Financial Implications:

In 1999 and 2000, under the current legislation for the City of Toronto, a 1% tax increase raises \$9.4 million. In 2001, a 1% tax increase raises \$25.3 million.

Recommendations:

If Council considers a tax increase for 1999 and 2000, or simply wishes to have its tax flexibility restored, Council should request the Province to amend Bill 79 to allow the entire City tax base to bear any tax increase or, failing that, to enact new legislation to permit the City to increase the tax rate on the capped property classes.

Background:

On November 20, 1998, the Assessment and Tax Policy Task Force reviewed a report from the City Solicitor and a communication from the Association of Municipalities of Ontario regarding Bill 79. Subsequent to the consideration of these reports, the Task Force adopted Councillor Adams' motion that City Council request the Province to permit the City to increase the tax rate on the capped property classes either through new legislation or through amendments to Bill 79.

The City Council passed a by-law in July 1998 to adopt the 2.5 percent cap on commercial, industrial and multi-residential property classes under Part XXII.1 of the "Municipal Act". In adopting this capping, the City is restricted from raising the tax rate on the capped classes and must raise any additional property tax revenue mainly on the residential class.

Bill 79, The Fairness for Property Taxpayers Act, 1998, contains many amendments that do not apply to the City as it has already adopted the 2.5 percent capping. The capping by-law passed by City Council cannot be revoked to permit the City to adopt the new capping of 10, 5 and 5 percent made available by Bill 79. A municipality that adopts the new capping of 10, 5 and 5 percent is permitted to raise additional revenue from the capped classes as well as the non-capped classes.

Bill 79, The Fairness for Property Taxpayers Act, 1998, received second reading on November 30, 1998 and referred to the Standing Committee on Finance and Economic Affairs (SCFEA) for clause-by-clause consideration for December 7, 1998.

Discussions:

City Council, in adopting the 2.5 percent capping, under Part XXII.1 of the “Municipal Act”, is prevented from financing budgetary increases onto the commercial, industrial and multi-residential property classes for 1999 and 2000. Any expenditure increases in 1999 and 2000 must be financed through user fee increases, program elimination and/or property tax increase on only the residential/farm property class. At its meeting held July 6, 7, 11 and 13, 1998, the Assessment and Tax Policy Task Force considered the implications of adopting the 2.5% cap in that restrictions would exist for multi-residential, commercial and industrial properties. The Task Force considered requesting the Province to eliminate the restriction on tax increases for 1999 and 2000 but did not in the end adopt any recommendation to this effect. The Task Force recommendations were forwarded to the Strategic Policies and Priorities Committee and subsequently onto Council. Council, therefore, has not previously requested the Province to eliminate the restriction.

Conclusion:

If Council considers a tax increase for 1999 and 2000, or simply wishes to have its tax flexibility restored, Council should request the Province to amend Bill 79 to allow the entire City tax base to bear any tax increase or, failing that, to enact new legislation to permit the City to increase the tax rate on the capped property classes.

Contact:

Bill Wong: 392-9148